

## Section 5

### Judicial processing of defendants

Statistics on the judicial processing of adult and juvenile defendants in the United States are provided in this section. A wide range of judicial activity reported for Federal, State, and military courts is covered.

Beginning the section is information on requests for immunity by Federal prosecutors; court orders for interception of wire, oral, or electronic communications and subsequent arrests and convictions; and activities of U.S. attorneys, including the number of grand jury proceedings and criminal cases handled, and offenses involved.

Next, this section focuses on activities of the Federal courts. Detailed data are provided by the Administrative Office of the United States Courts on criminal cases filed, terminated, and pending in U.S. District Courts, including trend tables that present these case processing activities over time. Information on Federal defendants detained before trial follows. The number of defendants detained, the length of detention, and the cost of detention is presented according to the circuit and district where the activity occurred.

The Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program also provides detailed data on the U.S. District Courts, including figures on Federal defendants released or detained prior to trial. These data are displayed by offense type, defendant characteristics, and outcome of pretrial release. Information on the processing of cases in district courts includes the disposition of cases, number of defendants convicted, and type of sentences imposed. The sentencing data further include demographic characteristics of defendants sentenced and lengths of sentences to prison.

Information on the application of U.S. Sentencing Commission guidelines in Federal district courts are presented. These tables enumerate the number of offenders sentenced, offense type, demographic characteristics of defendants, type and length of sentences imposed, fines and restitution ordered, and sentences that depart from the guidelines. This section also includes a detailed breakdown on defendants charged with and sentenced for violation of Federal drug laws, as well as convictions resulting from arrests by the Drug Enforcement Administration. Counts of antitrust cases filed, length of civil and criminal trials, and amount of time from filing to final disposition of cases in U.S. District Courts concludes this series of tables.

A source of extensive information on judicial activity in State courts is BJS' National Judicial Reporting Program. This data set provides counts of felony convictions and sentences in State courts by offense type, demographic characteristics of defendants, method of conviction (bench, jury, plea), and the type and length of sentences imposed. In addition, information is presented on defendants sentenced to additional penalties and the average length of time from arrest to sentencing for felony cases. For those interested specifically in judicial processing in large urban areas, detailed data on the processing of felony defendants in the 75 largest counties in the United States, from BJS's State Court Processing Statistics Program, are provided. The next set of tables focuses on juvenile courts and presents data on the processing of juvenile defendants, including the characteristics of juvenile offenders and outcomes of cases.

Also shown in Section 5 are data on petitions filed in U.S. District Courts by State and Federal prisoners. The number of appeals filed in U.S. Courts of Appeals is presented, including a trend table displaying over 15 years of data for all types of appeals filed and a table displaying the outcome of appeals in U.S. Courts of Appeals. A series of tables on the activities of the U.S. Supreme Court show data on the cases filed and types of dispositions. Next is a trend table with over 45 years of data on requests for executive clemency, and information on judicial misconduct complaints and dispositions handled by State judicial conduct organizations. Tables on criminal tax fraud, criminal matters handled by the U.S. Postal Inspection Service and the Office of Inspector General, violations of immigration laws from the Immigration and Naturalization Service, and cases involving the abuse of public office over the last 25 years appear at the end of this segment.

Section 5 concludes with data on activity in U.S. military courts. Specifically, these tables detail military courts-martial in the U.S. Army and U.S. Coast Guard. Breakdowns of the offenses charged for Coast Guard defendants prosecuted in special and general courts-martial are included.

Table 5.1

**Requests for immunity by Federal prosecutors to the U.S. Attorney General and witnesses involved in these requests**

By origin of request, fiscal years 1973-2000

Fiscal year	Requests			Witnesses		
	Total number	Criminal Division		Total number	Criminal Division	
		Number	Percent		Number	Percent
1973	1,160	769	66%	2,715	1,598	59%
1974	1,410	1,121	80	3,655	2,055	56
1975	1,632	1,259	77	3,733	2,183	58
1976	1,789	1,361	76	3,923	2,366	60
1977	1,798	1,250	70	4,413	1,969	45
1978	1,445	959	66	2,997	1,403	47
1979	1,596	1,163	73	3,204	1,816	57
1980	1,653	1,207	73	3,530	1,892	54
1981	1,686	1,252	74	3,271	2,032	62
1982	1,836	1,394	76	3,810	2,233	59
1983	1,986	1,425	72	4,226	2,243	53
1984	2,378	1,838	77	4,784	2,858	60
1985	2,451	1,898	77	5,146	3,329	65
1986	2,550	1,948	76	5,013	3,267	65
1987	2,359	1,869	79	4,603	3,249	71
1988	2,359	1,821	77	4,702	3,205	68
1989	2,301	1,807	79	4,495	3,249	72
1990	2,049	1,694	83	3,735	2,905	78
1991	1,953	1,561	80	3,377	2,449	73
1992	1,819	1,417	78	3,242	2,309	71
1993	1,959	1,466	75	3,521	2,393	68
1994	1,717	1,262	74	3,279	2,225	68
1995	1,520	1,182	78	2,776	1,987	72
1996	1,493	1,135	76	2,806	2,066	74
1997	1,502	1,108	74	2,737	1,953	71
1998	1,340	1,017	76	2,300	1,616	70
1999	1,196	908	76	2,059	1,444	70
2000	1,206	955	79	2,164	1,584	73

Note: These data reflect requests received from Federal prosecutors under 18 U.S.C. 6001-6005, the statute that governs the granting of use immunity. 18 U.S.C. 6003 requires all Federal prosecuting attorneys to receive authorization from the U.S. Attorney General (or representative) before seeking a court order for witness immunity. It should be noted that in some cases in which the authorization is obtained, the prosecutor may decide not to seek the immunity order from the courts. Therefore, the number of witnesses actually granted immunity is probably lower than the data in the table indicate. It should also be noted that data for 1973 and 1974 include a total of 11 requests and 27 witnesses, and 7 requests and 11 witnesses, respectively, falling under an older statute, 18 U.S.C. 2514, which was repealed. "Criminal Division" includes the Criminal Division of the U.S. Department of Justice and the U.S. attorneys. Other requests, not pertaining to the Criminal Division, come from the remaining divisions of the U.S. Department of Justice (e.g., Antitrust, Tax, Civil Division, Civil Rights, and Environment and Natural Resources), as well as from the other Federal agencies (e.g., Interstate Commerce Commission, Federal Trade Commission, Securities and Exchange Commission, and Department of the Army) and from Congress, all of which may request immunity for witnesses. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Justice, Criminal Division.

Table 5.2

**Court-authorized orders for interception of wire, oral, or electronic communications**

United States, 1969-2000

	Intercept applications authorized	
	Federal	State
1969	33	268
1970	182	414
1971	285	531
1972	206	649
1973	130	734
1974	121	607
1975	108	593
1976	137	549
1977	77	549
1978	81	489
1979	87	466
1980	81	483
1981	106	483
1982	130	448
1983	208	440
1984	289	512
1985	243	541
1986	250	504
1987	236	437
1988	293	445
1989	310	453
1990	324	548
1991	356	500
1992	340	579
1993	450	526
1994	554	600
1995	532	526
1996	581	568
1997	569	617
1998	566	763
1999	601	749
2000	479	711

Note: The Director of the Administrative Office of the United States Courts is required, in accordance with provisions of 18 U.S.C. 2519(1), to transmit to Congress a report regarding applications for orders authorizing or approving the interception of wire, oral, or electronic communications. This report is required to contain information about the number of such orders and any extensions granted. Every State and Federal judge is required to file a written report on each application made. This report is required to contain information on the grants and denials, name of applicant, offense involved, type and location of device, and duration of authorized intercept. Prosecuting officials who have applied for intercept orders are required to file reports containing information on the cost of the intercepts; the number of days the device was in operation; the total number of intercepts; the number of incriminating intercepts recorded; whether encryption was encountered in the course of the intercept; and the results of the intercepts in terms of the number of arrests, trials, convictions, and motions to suppress evidence obtained through the use of intercepts. Forty-five jurisdictions (the Federal Government, the District of Columbia, the Virgin Islands, and 42 States) had statutes authorizing the interception of wire, oral, or electronic communications during 2000; 26 of these jurisdictions had court-authorized orders for interception during 2000 (Source, **2000**, pp. 6, 7).

Source: Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications for the Period January 1, 1977 to December 31, 1977* (Washington, DC: Administrative Office of the United States Courts, 1978), p. xvi; Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications for the Period January 1, 1988 to December 31, 1988* (Washington, DC: USGPO, 1989), p. 19; and Administrative Office of the United States Courts, *1999 Wiretap Report*, p. 32; **2000**, p. 30 (Washington, DC: Administrative Office of the United States Courts). Table adapted by SOURCEBOOK staff.

Table 5.3

**Court-authorized orders for interception of wire, oral, or electronic communications**

By most serious offense under investigation, United States, 2000

Offense	Intercept applications authorized		
	Total	Federal	State
All offenses	1,190	479	711
Narcotics	894	385	509
Racketeering	76	45	31
Gambling	49	2	47
Homicide and assault	72	2	70
Kidnaping	4	1	3
Loansharking, usury, and extortion	10	6	4
Larceny, theft, and robbery	19	4	15
Bribery	21	4	17
Other	45	30	15

Note: See Note, table 5.2.

Source: Administrative Office of the United States Courts, *2000 Wiretap Report* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 18-20. Table adapted by SOURCEBOOK staff.

Table 5.4

**Arrests and convictions resulting from court-authorized orders for interception of wire, oral, or electronic communications**

United States, 1983-2000

Year arrests and con- victions reported	Year installed																	
	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
	(N=602)	(N=773)	(N=722)	(N=676)	(N=634)	(N=678)	(N=720)	(N=812)	(N=802)	(N=846)	(N=938)	(N=1,100)	(N=1,024)	(N=1,035)	(N=1,094)	(N=1,245)	(N=1,277)	(N=1,139)
<b>1983</b>																		
Arrests	1,716	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	521	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1984</b>																		
Arrests	664	2,393	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	833	649	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1985</b>																		
Arrests	266	638	2,469	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	320	958	660	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1986</b>																		
Arrests	174	334	1,026	2,410	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	226	409	1,114	761	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1987</b>																		
Arrests	42	225	419	759	2,226	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	80	265	552	830	506	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1988</b>																		
Arrests	2	67	169	305	716	2,486	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	7	55	195	523	936	543	X	X	X	X	X	X	X	X	X	X	X	X
<b>1989</b>																		
Arrests	26	59	9	138	186	969	2,804	X	X	X	X	X	X	X	X	X	X	X
Convictions	11	72	39	163	341	1,192	706	X	X	X	X	X	X	X	X	X	X	X
<b>1990</b>																		
Arrests	0	3	67	125	54	251	986	2,057	X	X	X	X	X	X	X	X	X	X
Convictions	4	17	53	85	141	400	823	420	X	X	X	X	X	X	X	X	X	X
<b>1991</b>																		
Arrests	0	0	0	91	5	106	289	897	2,364	X	X	X	X	X	X	X	X	X
Convictions	5	3	2	82	23	203	490	550	605	X	X	X	X	X	X	X	X	X
<b>1992</b>																		
Arrests	0	0	19	2	38	18	120	213	801	2,685	X	X	X	X	X	X	X	X
Convictions	0	1	1	3	9	66	186	357	827	607	X	X	X	X	X	X	X	X
<b>1993</b>																		
Arrests	0	0	0	0	19	29	23	83	270	983	2,428	X	X	X	X	X	X	X
Convictions	0	0	0	2	16	57	111	142	210	895	413	X	X	X	X	X	X	X
<b>1994</b>																		
Arrests	0	0	0	0	15	0	8	67	155	326	981	2,852	X	X	X	X	X	X
Convictions	0	0	1	0	11	8	52	111	169	450	912	772	X	X	X	X	X	X
<b>1995</b>																		
Arrests	0	0	0	1	15	6	8	26	111	67	390	1,165	2,577	X	X	X	X	X
Convictions	0	0	0	1	12	6	7	81	148	164	538	965	494	X	X	X	X	X
<b>1996</b>																		
Arrests	0	0	0	0	1	2	7	2	30	40	130	209	1,246	2,464	X	X	X	X
Convictions	0	0	0	0	1	11	1	2	40	50	233	403	1,112	502	X	X	X	X
<b>1997</b>																		
Arrests	0	0	0	0	0	0	0	0	35	22	109	79	448	1,069	3,086	X	X	X
Convictions	0	0	0	0	0	0	2	62	64	1	179	191	740	1,110	542	X	X	X
<b>1998</b>																		
Arrests	0	0	0	0	0	0	9	9	4	35	70	86	425	402	1,406	3,450	X	X
Convictions	0	0	0	0	0	0	10	9	8	45	81	163	502	423	1,220	911	X	X
<b>1999</b>																		
Arrests	0	0	0	0	0	0	1	0	0	20	1	60	40	194	493	1,266	4,372	X
Convictions	0	0	0	0	0	0	1	0	16	22	2	39	33	205	464	1,214	654	X
<b>2000</b>																		
Arrests	0	0	0	0	0	0	0	1	0	0	0	1	19	25	176	441	1,600	3,411
Convictions	0	0	0	0	0	0	0	0	0	0	0	2	29	62	169	596	1,323	736

Note: See Note, table 5.2. Arrests, trials, and convictions resulting from the interceptions of wire, oral, and electronic communication do not always occur within the same year as the implementation of the court order. This table presents arrest and conviction data for the year court-authorized interception began and subsequent years. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications for the Period January 1, 1992 to December 31, 1992* (Washington, DC: USGPO, 1993), p. 29; and Administrative Office of the United States Courts, *2000 Wiretap Report* (Washington, DC: Administrative Office of the United States Courts, 2001), p. 36. Table adapted by SOURCEBOOK staff.

Table 5.5

**Grand jury proceedings and criminal cases filed by U.S. attorneys**

United States, fiscal years 1988-99

	Grand jury proceedings	Criminal cases filed
1988	20,184	33,294
1989	23,203	34,865
1990	23,925	36,042
1991	25,943	38,374
1992	25,470	35,263
1993	23,757	36,995
1994	20,714	33,307
1995	22,856	36,878
1996	23,449	38,250
1997	25,209	39,291
1998	30,734	47,277
1999	32,474	50,779

Note: The U.S. attorney is the highest ranking law enforcement official in each of the 94 Federal judicial districts. Each U.S. attorney, under the direction of the U.S. Attorney General, is responsible for establishing law enforcement priorities, and for carrying out the prosecution and litigation activities within their respective districts. Each U.S. attorney also is the chief litigator representing the U.S. in civil judicial proceedings in the district. U.S. attorneys direct and supervise the work of the assistant U.S. attorneys and staff of the district's offices.

Source: U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys Annual Statistical Report: Fiscal Year 1997*, pp. 10, 11; *Fiscal Year 1999*, pp. 12, 13 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.6

**Criminal cases filed and disposed of and number of defendants handled by U.S. attorneys**

By offense type, United States, fiscal year 1999

Offense type	Cases		Defendants		Dispositions				
	Filed <sup>a</sup>	Terminated <sup>b</sup>	Filed <sup>c</sup>	Terminated <sup>d</sup>	Guilty	Not guilty <sup>e</sup>	Dismissed <sup>f</sup>	Rule 20 <sup>g</sup>	Other
Total	50,779	46,423	7,156	64,517	57,879	700	5,086	595	260
Assimilated crimes <sup>h</sup>	326	337	337	480	268	1	119	10	82
Civil rights prosecution	101	95	158	173	131	19	22	1	0
Government regulatory offenses	1,784	1,753	2,556	2,545	2,265	35	208	29	8
Copyright violations	30	29	36	39	37	0	1	1	0
Counterfeiting	830	816	1,192	1,196	1,101	8	70	14	3
Customs violations:									
Duty	70	80	98	122	106	0	14	2	0
Currency	211	204	260	253	241	0	12	0	0
Energy pricing and related fraud	4	6	4	6	6	0	0	0	0
Environmental offenses	278	280	440	420	351	10	52	3	4
Health and safety violations	42	19	75	31	28	0	1	1	1
Money laundering:									
Narcotic	81	78	120	119	103	1	13	2	0
Other	94	88	149	140	120	7	12	1	0
Trafficking in contraband cigarettes	4	14	4	31	16	1	12	2	0
Other regulatory offenses	140	139	178	188	156	8	21	3	0
Immigration	11,580	10,769	12,650	11,770	11,206	39	494	15	16
Internal security offenses	17	9	17	17	16	0	1	0	0
Interstate theft	227	234	405	385	344	6	28	6	1
Labor management offenses	98	141	111	150	142	1	3	3	1
Corruption:									
Bribery	2	2	2	2	2	0	0	0	0
Pension benefit	30	44	40	47	45	0	2	0	0
Labor racketeering	10	9	12	10	10	0	0	0	0
Other labor offenses	56	86	57	91	85	1	1	3	1
Drug offenses	16,617	14,800	29,846	25,752	23,133	236	2,199	114	70
Organized Crime Drug Enforcement Task Force (OCDETF)	3,270	2,459	9,222	7,011	6,232	69	647	37	26
Non-OCDETF	13,347	12,341	20,624	18,741	16,901	167	1,552	77	44
Dealing	12,991	12,012	20,092	18,277	16,489	162	1,514	72	40
Possession	356	329	532	464	412	5	38	5	4

See notes at end of table.

Table 5.6

**Criminal cases filed and disposed of and number of defendants handled by U.S. attorneys**

By offense type, United States, fiscal year 1999--Continued

Offense type	Cases		Defendants		Dispositions				
	Filed <sup>a</sup>	Terminated <sup>b</sup>	Filed <sup>c</sup>	Terminated <sup>d</sup>	Guilty	Not guilty <sup>e</sup>	Dismissed <sup>f</sup>	Rule 20 <sup>g</sup>	Other
Official corruption	535	477	738	662	580	23	52	6	1
Federal procurement	76	58	116	82	78	1	3	0	0
Federal program	66	74	111	117	93	12	10	2	0
Federal law enforcement	37	32	48	39	32	2	5	0	0
Other Federal	138	132	155	157	135	2	17	3	0
Local	128	100	166	135	123	2	10	0	0
State	56	43	85	69	60	4	4	0	1
Other official	34	38	57	63	59	0	3	1	0
Organized crime	209	173	429	362	308	21	29	2	2
Theft	1,571	1,487	2,019	1,827	1,628	16	158	22	3
Check/postal	1,050	988	1,329	1,212	1,101	12	87	10	2
Motor vehicle theft	96	58	221	114	103	0	11	0	0
Theft of government property	425	441	469	501	424	4	60	12	1
Violent crime	7,392	6,539	9,175	8,404	7,327	188	717	141	31
Violent Indian offenses	620	632	691	690	602	27	57	1	3
Non-OCDETF drugs	278	269	593	602	538	7	55	2	0
OCDETF drugs	62	60	123	186	163	4	18	0	1
Organized crime	57	48	137	113	98	3	8	4	0
Financial institution fraud	25	22	29	27	25	1	1	0	0
Other	6,350	5,508	7,602	6,786	5,901	146	578	134	27
Other Indian offenses	126	126	164	163	146	0	15	2	0
White collar crime	6,558	6,311	8,670	8,142	7,309	82	563	156	32
Advance fee schemes <sup>h</sup>	82	96	124	162	139	0	17	6	0
Fraud against business institutions	498	496	712	673	625	3	30	13	2
Antitrust violations	18	37	26	53	48	0	5	0	0
Bank fraud and embezzlement	2,469	2,400	3,192	2,982	2,714	17	188	53	10
Bankruptcy fraud	184	161	202	188	163	2	23	0	0
Commodities fraud	16	17	31	26	24	1	1	0	0
Computer fraud	68	60	103	83	71	0	8	3	1
Consumer fraud	125	133	175	207	184	2	16	5	0
Federal procurement fraud	97	78	141	114	84	4	18	8	0
Federal program fraud	710	692	896	859	750	10	82	16	1
Health care fraud	370	300	504	454	396	14	32	9	3
Insurance fraud	130	158	207	257	222	4	25	5	1
Other investment fraud	75	57	108	77	71	2	2	2	0
Securities fraud	175	96	316	133	126	1	4	1	1
Tax fraud	765	756	898	890	828	12	36	9	5
Other fraud	776	774	1,035	984	864	10	76	26	8
All other	3,638	3,172	4,285	3,685	3,073	33	478	88	13

Note: See Note, table 5.5.

<sup>a</sup>Includes 857 cases initiated by transfer under Rule 20 (see footnote g).<sup>b</sup>Includes 474 cases terminated by transfer under Rule 20 (see footnote g).<sup>c</sup>Includes 914 defendants initiated by transfer under Rule 20 (see footnote g).<sup>d</sup>Includes 595 defendants terminated by transfer under Rule 20 (see footnote g).<sup>e</sup>Includes 20 verdicts of not guilty by reason of insanity involving 20 defendants.<sup>f</sup>Includes transfers, dismissals other than by court, pretrial diversions, and proceedings suspended indefinitely by court.<sup>g</sup>Rule 20 of the Federal Criminal Rules permits the transfer of a case from one district to another for plea and sentencing. That is, if an offender is arrested in one district on an indictment or information originating in another district, the offender may plead guilty and be sentenced in the arresting district.<sup>h</sup>Laws of States adopted for areas within a Federal jurisdiction (18 U.S.C. 13), e.g., driving while intoxicated on a military base.<sup>i</sup>Fraud against businesses or individuals involving the payment of a fee in advance for goods, services, or other things of value.Source: U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys Annual Statistical Report: Fiscal Year 1999* (Washington, DC: USGPO, 2000), pp. 110, 111. Table adapted by SOURCEBOOK staff.

Table 5.7

**Criminal cases commenced, terminated, and pending, and judgeships authorized in U.S. District Courts**

1982-2000

	Judgeships authorized	Cases commenced <sup>a</sup>			Terminated	Pending <sup>b</sup>
		Number	Cases per judgeship	Drug cases		
1982	515	32,682	63	4,218	31,889	16,659
1983	515	35,872	70	5,094	33,985	18,546
1984	515	36,845	72	5,606	35,494	19,938
1985	575	39,500	69	6,690	37,139	22,299
1986	575	41,490	72	7,893	39,328	24,453
1987	575	43,292	75	8,878	42,287	25,263
1988	575	43,607	76	10,603	41,878	28,776
1989	575	45,792	80	12,342	42,933	32,666
1990	575	46,568	81	11,547	43,296	35,308
1991	649	47,123	73	11,954	43,073	39,562
1992	649	48,366	75	12,833	44,147	34,078
1993	649	46,786	72	12,238	44,800	28,701
1994	649	45,484	70	11,369	45,129	26,328
1995	649	45,788	71	11,520	41,527	28,738
1996	647	47,889	74	12,092	45,499	32,156
1997	647	50,363	78	13,656	46,887	37,237
1998	646	57,691	89	16,281	51,428	40,277
1999	646	59,923	93	17,483	56,511	42,966
2000	655	62,745	96	17,505	58,102	47,609
Percent change						
1999 to 2000	1.4%	4.7%	3.2%	0.1%	2.8%	10.8%

Note: Data for 1982-87 are reported for the 12-month period ending June 30. Beginning in 1988, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Data for criminal cases commenced include transfers, with the exception of drug cases which exclude transfers.

<sup>b</sup>Beginning in 1993, pending totals exclude cases in which all defendants were fugitives for more than 1 year.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1991, p. 90; 1992, p. 66; 1997, p. 20 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), p. 20. Table adapted by SOURCEBOOK staff.

Table 5.8

**Criminal cases filed, terminated, and pending in U.S. District Courts**

1955-2000

	Pending at beginning of reporting period	Total filed			Pending at end of reporting period		Pending at beginning of reporting period	Total filed			Pending at end of reporting period
		Original proceeding <sup>a</sup>	Received by transfer	Total terminated				Original proceeding <sup>a</sup>	Received by transfer	Total terminated	
1955	10,100	35,310	1,813	38,580	8,643		1980	15,124	27,910	1,022	29,297
1956	8,643	28,739	1,914	32,053	7,243		1981	14,759	30,353	975	30,221
1957	7,243	28,120	1,958	29,826	7,495		1982	15,866	31,623	1,059	31,889
1958	7,495	28,897	1,840	30,781	7,451		1983	16,659	34,681	1,191	33,985
1959	7,451	28,729	1,924	30,377	7,727		1984	18,587	35,911	934	35,494
							1985	19,938	38,546	954	37,139
1960	7,727	28,137	1,691	29,864	7,691		1986	22,299	40,427	1,063	39,333
1961	7,691	28,460	1,808	29,881	8,078		1987	24,453	42,156	1,136	42,287
1962	8,078	29,274	1,743	30,013	9,082		1988	25,263	43,503	1,082	42,115
1963	9,082	29,858	1,888	31,546	9,282		1989	27,722	44,891	1,104	42,810
1964	9,282	29,944	1,789	31,437	9,578		1990	30,910	47,962	942	44,295
							1991	35,021	45,055	680	42,788
1965	9,578	31,569	1,765	32,078	10,834		1992	39,562	47,472	894	44,147
1966	10,834	29,729	1,765	30,644	11,684		1993	34,078	45,903	883	44,800
1967	11,684	30,534	1,673	30,350	13,541		1994	28,701	44,667	806	45,129
1968	13,541	30,714	1,857	31,349	14,763		1995	26,328	45,053	735	41,527
1969	14,763	33,585	1,828	32,406	17,770		1996	28,738	47,146	743	45,499
							1997	32,156	49,655	708	46,887
1970	17,770	38,102	1,857	36,819	20,910		1998	37,237	57,023	668	51,428
1971	20,910	41,290	1,867	39,582	24,485		1999	40,277	59,251	672	56,511
1972	24,485	47,043	2,011	48,101	25,438		2000	42,966	62,152	593	58,102
1973	25,438	40,367	2,067	43,456	24,416						47,609
1974	24,416	37,667	2,087	41,526	22,644						
1975	22,644	41,108	2,174	43,515	22,411						
1976	22,411	39,147	1,911	43,675	19,794						
1977	19,794	40,000	1,589	44,233	17,150						
1978	17,150	34,624	1,359	37,286	15,847						
1979	15,847	31,536	1,152	33,411	15,124						

Note: Two reporting changes were made during fiscal year 1976. Beginning Oct. 1, 1975, all minor offenses (offenses involving penalties that do not exceed 1 year imprisonment or a fine of more than \$1,000), with the exception of most petty offenses (offenses involving penalties that do not exceed 6 months incarceration and/or a fine of not more than \$500), are included. Minor offenses are generally disposed of by magistrate judges and, in past years, most of these minor offenses would not have been counted in the workload of the district courts. Second, when the Federal Government's motion to dismiss an original indictment or information is granted, the superseding indictment or information does not become a new case as in the years prior to 1976, but remains the same case. (An indictment is the charging document of the grand jury, and an information is the charging document of the U.S. attorney.) Data for 1955-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. These data were taken from the first year they were reported and do not reflect revisions made in subsequent years. Therefore, these data may differ from figures presented in table 5.7.

<sup>a</sup>Received by transfer" includes defendants transferred by Rule 20, *Federal Rules of Criminal Procedure*, which provides that defendants who (1) are arrested or held in a district other than that in which an indictment or information is pending against them or in

which the warrant for their arrest was issued and (2) state in writing that they wish to plead guilty or nolo contendere, may consent to disposition of the case in the district in which they are arrested or are held, subject to the approval of the U.S. attorney for both districts.

<sup>a</sup>Includes reopens.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. 94; 1983, pp. 302, 303; 1985, pp. 336, 337; 1986, pp. 232, 233; 1995, pp. 195, 196; 1998, pp. 198, 199; 1999, pp. 192, 193 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1982, pp. 272, 273; 1984, pp. 310, 311; 1987, pp. 238, 239; 1988, pp. 241, 242; 1989, pp. 239, 240; 1990, pp. 176, 177; 1991, pp. 230, 231; 1992, pp. 232, 233; 1993, pp. A1111, A1112; 1994, Table D-1; 1996, pp. 191, 192; 1997, pp. 184, 185 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 191, 192. Table constructed by SOURCEBOOK staff.



Table 5.9

**Criminal cases filed in U.S. District Courts**

By offense, fiscal years 1993-2000

Offense	1993	1994	1995	1996	1997	1998	1999	2000
Total	45,902	44,678	45,053	47,146	49,655	57,023	59,251	62,152
Miscellaneous general offenses	11,838	12,414	11,114	10,462	10,386	10,856	11,747	12,544
Drunk driving and traffic	6,228	7,080	5,214	5,045	4,974	4,982	5,005	4,679
Weapons and firearms	3,637	3,112	3,621	3,162	3,184	3,641	4,367	5,387
Escape <sup>a</sup>	725	739	697	723	587	564	639	635
Kidnaping	67	68	81	116	99	150	101	111
Bribery	205	283	190	152	168	174	158	145
Extortion, racketeering, and threats	491	509	713	557	572	617	534	557
Gambling and lottery	75	80	26	16	24	22	16	17
Perjury	111	93	85	99	87	126	91	113
Other	299	450	487	592	691	580	836	900
Fraud	7,575	7,098	7,414	7,633	7,874	8,342	7,654	7,788
Drug laws	12,238	11,369	11,520	12,092	13,656	16,281	17,483	17,505
Larceny and theft	3,322	3,337	3,432	3,674	3,299	3,590	3,514	3,414
Forgery and counterfeiting	1,059	1,093	1,001	987	1,156	1,346	1,292	1,203
Embezzlement	1,857	1,575	1,368	1,284	1,172	1,397	1,315	1,200
Immigration laws	2,487	2,595	3,960	5,526	6,677	9,339	10,641	12,150
Federal statutes	2,200	2,084	2,403	2,317	2,156	2,363	2,241	2,844
Agricultural/conservation acts	254	247	401	313	267	333	277	316
Migratory bird laws	27	39	27	48	22	42	18	52
Civil rights <sup>b</sup>	62	70	73	73	59	77	81	80
Motor Carrier Act	20	11	12	7	8	6	16	5
Antitrust violations	71	43	38	31	34	25	39	43
Food and Drug Act	67	46	55	48	48	47	59	52
Contempt	56	74	69	81	77	80	78	109
National defense laws	144	95	85	62	73	55	68	533
Customs laws	69	88	97	110	97	125	96	97
Postal laws	212	182	202	152	165	152	119	112
Other	1,218	1,189	1,344	1,392	1,306	1,421	1,390	1,445
Robbery	1,789	1,520	1,240	1,365	1,453	1,448	1,295	1,258
Bank	1,714	1,468	1,168	1,291	1,384	1,392	1,250	1,219
Postal	51	35	43	36	29	32	29	25
Other	24	17	29	38	40	24	16	14
Assault	523	563	561	540	527	629	529	665
Motor vehicle theft	349	335	267	232	189	182	189	199
Burglary	141	139	63	65	70	89	72	59
Homicide	181	195	295	344	348	384	383	370
Sex offenses	337	359	412	623	690	777	893	944
Liquor, Internal Revenue	6	2	3	2	2	0	3	9

Note: See Note, table 5.8. These data exclude transfers. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes escape from custody, aiding or abetting an escape, failure to appear in court, and bail jumping.

<sup>b</sup>Includes cases removed from State courts under provisions of the Civil Rights Act, 28 U.S.C. 1443.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 196-198; and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 203-205. Table adapted by SOURCEBOOK staff.

Table 5.10

**Criminal cases filed, terminated, and pending in U.S. District Courts**

By type of offense, circuit, and district, fiscal year 2000

Circuit and district	Pending Oct. 1, 1999				Filed						
	Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>	Total commenced	Original proceedings				Reopens <sup>c</sup>	Transfers
						Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>		
Total	42,966	37,346	5,188	432	62,745	61,832	49,993	10,319	1,520	320	593
District of Columbia	693	649	44	0	399	399	326	71	2	0	0
First Circuit	1,339	1,302	30	7	1,682	1,655	1,137	33	485	11	16
Maine	112	110	2	0	181	180	171	9	0	0	1
Massachusetts	508	489	17	2	432	419	397	20	2	8	5
New Hampshire	123	123	0	0	148	144	141	2	1	0	4
Rhode Island	227	218	8	1	132	130	130	0	0	0	2
Puerto Rico	369	362	3	4	789	782	298	2	482	3	4
Second Circuit	5,869	5,132	675	62	3,661	3,582	3,247	318	17	34	45
Connecticut	234	223	9	2	236	222	206	13	3	5	9
New York:											
Northern	520	373	147	0	528	520	343	177	0	2	6
Eastern	1,533	1,478	54	1	1,096	1,082	1,057	23	2	8	6
Southern	3,078	2,600	419	59	1,267	1,229	1,139	78	12	19	19
Western	389	347	42	0	420	415	391	24	0	0	5
Vermont	115	111	4	0	114	114	111	3	0	0	0
Third Circuit	2,399	2,126	259	14	3,142	3,085	2,314	222	549	15	42
Delaware	92	78	13	1	97	95	74	21	0	0	2
New Jersey	834	628	204	2	881	858	697	156	5	5	18
Pennsylvania:											
Eastern	802	778	20	4	719	698	687	10	1	7	14
Middle	258	249	8	1	359	356	334	20	2	0	3
Western	192	189	3	0	302	295	288	6	1	3	4
Virgin Islands	221	204	11	6	784	783	234	9	540	0	1
Fourth Circuit	4,593	3,122	1,348	123	7,199	7,104	3,953	2,978	173	45	50
Maryland	897	597	265	35	1,165	1,162	509	645	8	0	3
North Carolina:											
Eastern	461	207	229	25	889	874	387	360	127	8	7
Middle	165	157	5	3	388	382	379	3	0	2	4
Western	412	398	6	8	394	381	365	12	4	5	8
South Carolina	599	562	31	6	674	658	633	22	3	6	10
Virginia:											
Eastern	1,441	611	795	35	3,011	2,984	1,050	1,907	27	17	10
Western	337	313	14	10	319	307	290	14	3	6	6
West Virginia:											
Northern	119	117	1	1	127	126	124	2	0	0	1
Southern	162	160	2	0	232	230	216	13	1	1	1
Fifth Circuit	5,560	5,229	248	83	10,856	10,745	10,024	645	76	39	72
Louisiana:											
Eastern	226	222	3	1	320	310	293	11	6	3	7
Middle	122	119	1	2	177	174	167	7	0	1	2
Western	228	134	88	6	244	241	137	98	6	2	1
Mississippi:											
Northern	74	71	0	3	135	134	131	3	0	0	1
Southern	196	179	13	4	365	361	327	21	13	2	2
Texas:											
Northern	736	675	32	29	963	936	894	41	1	7	20
Eastern	284	279	3	2	498	491	470	19	2	3	4
Southern	1,821	1,747	49	25	3,720	3,691	3,589	66	36	7	22
Western	1,873	1,803	59	11	4,434	4,407	4,016	379	12	14	13
Sixth Circuit	2,770	2,484	263	23	3,709	3,631	3,090	522	19	19	59
Kentucky:											
Eastern	265	264	1	0	442	434	413	20	1	2	6
Western	314	144	165	5	578	574	207	366	1	0	4
Michigan:											
Eastern	724	707	15	2	515	497	473	20	4	6	12
Western	169	164	5	0	305	302	282	16	4	1	2
Ohio:											
Northern	279	276	3	0	507	500	490	10	0	4	3
Southern	273	241	32	0	383	374	335	38	1	1	8
Tennessee:											
Eastern	217	212	5	0	434	427	404	20	3	0	7
Middle	178	173	5	0	209	199	194	5	0	4	6
Western	351	303	32	16	336	324	292	27	5	1	11

See notes at end of table.

Terminated							Pending Sept. 30, 2000			
Total terminated	Original proceedings									
	Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>	Reopens <sup>c</sup>	Transfers	Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>
58,102	57,214	45,791	9,550	1,873	281	607	47,609	40,906	5,892	811
338	338	269	69	0	0	0	754	704	48	2
1,265	1,249	1,056	26	167	8	8	1,756	1,390	39	327
164	163	157	6	0	0	1	129	124	5	0
368	364	349	14	1	3	1	572	544	25	3
145	141	137	2	2	0	4	126	126	0	0
144	142	140	1	1	1	1	215	208	7	0
444	439	273	3	163	4	1	714	388	2	324
3,422	3,366	3,041	296	29	28	28	6,108	5,341	700	67
205	197	186	9	2	2	6	265	246	15	4
464	462	302	149	11	1	1	584	418	166	0
1,069	1,060	1,038	20	2	6	3	1,560	1,496	61	3
1,195	1,165	1,066	87	12	19	11	3,150	2,676	414	60
368	362	336	26	0	0	6	441	401	40	0
121	120	113	5	2	0	1	108	104	4	0
2,913	2,874	2,131	284	459	9	30	2,628	2,376	205	47
83	82	70	12	0	0	1	106	82	23	1
892	875	654	219	2	5	12	823	676	142	5
633	625	598	26	1	3	5	888	873	10	5
304	299	283	13	3	1	4	313	300	13	0
256	250	247	3	0	0	6	238	230	7	1
745	743	279	11	453	0	2	260	215	10	35
6,350	6,248	3,386	2,457	405	37	65	5,442	3,597	1,706	139
887	885	373	507	5	0	2	1,175	735	402	38
693	683	288	256	139	5	5	657	286	338	33
286	275	269	5	1	1	10	267	264	2	1
383	374	349	19	6	3	6	423	413	3	7
681	644	577	40	27	11	26	592	562	22	8
2,742	2,722	903	1,597	222	10	10	1,710	751	918	41
289	285	265	18	2	3	1	367	343	13	11
160	158	152	5	1	1	1	86	85	1	0
229	222	210	10	2	3	4	165	158	7	0
10,309	10,190	9,320	713	157	30	89	6,107	5,796	229	82
318	307	286	16	5	3	8	228	221	2	5
116	112	110	2	0	0	4	183	176	5	2
274	270	173	93	4	0	4	198	94	95	9
34	129	123	4	2	1	4	75	73	1	1
303	294	262	22	10	1	8	258	241	12	5
929	898	822	58	18	6	25	770	724	25	21
445	439	415	23	1	2	4	337	330	5	2
3,581	3,553	3,399	85	69	7	21	1,960	1,896	41	23
4,209	4,188	3,730	410	48	10	11	2,098	2,041	43	14
3,645	3,553	3,024	485	44	28	64	2,834	2,502	311	21
404	395	375	19	1	5	4	303	299	4	0
541	533	195	324	14	1	7	351	153	196	2
625	605	572	26	7	13	7	614	593	20	1
279	270	245	19	6	2	7	195	186	9	0
496	484	471	10	3	4	8	290	284	6	0
371	358	308	48	2	0	13	285	263	22	0
360	353	336	14	3	0	7	291	279	11	1
199	191	181	9	1	2	6	188	185	3	0
370	364	341	16	7	1	5	317	260	40	17

Table 5.10

**Criminal cases filed, terminated, and pending in U.S. District Courts**

By type of offense, circuit, and district, fiscal year 2000--Continued

Circuit and district	Pending Oct. 1, 1999				Total commenced	Filed					Reopens <sup>c</sup>	Transfers
	Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>		Original proceedings						
						Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>			
Seventh Circuit	1,533	1,446	77	10	2,151	2,117	1,965	144	8	15	19	
Illinois:												
Northern	597	569	25	3	700	691	645	46	0	5	4	
Central	235	210	25	0	295	293	252	39	2	1	1	
Southern	189	187	2	0	317	308	288	17	3	6	3	
Indiana:												
Northern	229	221	7	1	348	346	325	20	1	1	1	
Southern	106	95	5	6	172	164	157	7	0	1	7	
Wisconsin:												
Eastern	131	123	8	0	206	204	194	8	2	0	2	
Western	46	41	5	0	113	111	104	7	0	1	1	
Eighth Circuit	1,891	1,796	76	19	3,431	3,381	3,174	177	30	15	35	
Arkansas:												
Eastern	188	174	9	5	199	191	173	7	11	3	5	
Western	50	46	3	1	163	159	153	5	1	0	4	
Iowa:												
Northern	181	177	4	0	279	277	268	6	3	0	2	
Southern	174	172	2	0	296	296	293	3	0	0	0	
Minnesota	194	189	3	2	348	333	324	8	1	5	10	
Missouri:												
Eastern	277	236	41	0	647	640	560	80	0	2	5	
Western	273	265	6	2	515	513	489	24	0	0	2	
Nebraska	300	295	4	1	468	463	430	24	9	0	5	
North Dakota	73	72	1	0	178	176	167	8	1	1	1	
South Dakota	181	170	3	8	338	333	317	12	4	4	1	
Ninth Circuit	9,616	8,364	1,201	51	14,912	14,698	12,649	1,987	62	64	150	
Alaska	127	98	28	1	223	221	165	50	6	1	1	
Arizona	1,414	1,359	48	7	3,117	3,085	2,821	257	7	12	20	
California:												
Northern	865	646	216	3	1,057	1,033	768	264	1	6	18	
Eastern	733	564	155	14	1,007	989	863	124	2	6	12	
Central	1,553	1,496	47	10	1,407	1,347	1,303	41	3	14	46	
Southern	2,056	2,003	52	1	3,953	3,925	3,878	47	0	10	18	
Hawaii	459	259	200	0	477	477	238	239	0	0	0	
Idaho	82	70	8	4	153	148	120	16	12	2	3	
Montana	246	206	39	1	429	426	268	155	3	0	3	
Nevada	520	507	12	1	518	503	473	21	9	8	7	
Oregon	500	491	8	1	790	780	743	25	12	0	10	
Washington:												
Eastern	216	211	4	1	451	447	438	6	3	3	1	
Western	694	314	375	5	1,180	1,169	436	730	3	0	11	
Guam	105	96	8	1	112	110	98	11	1	2	0	
Northern Marianas	46	44	1	1	38	38	37	1	0	0	0	
Tenth Circuit	2,544	1,881	649	14	4,362	4,332	3,423	870	39	11	19	
Colorado	430	276	154	0	588	583	494	88	1	0	5	
Kansas	284	230	54	0	489	483	393	87	3	2	4	
New Mexico	933	628	303	2	1,720	1,714	1,538	171	5	3	3	
Oklahoma:												
Northern	124	113	10	1	137	134	120	14	0	1	2	
Eastern	39	36	2	1	80	79	75	4	0	1	0	
Western	191	134	56	1	570	566	180	386	0	1	3	
Utah	474	406	65	3	635	632	520	110	2	1	2	
Wyoming	69	58	5	6	143	141	103	10	28	2	0	
Eleventh Circuit	4,159	3,815	318	26	7,241	7,103	4,691	2,352	60	52	86	
Alabama:												
Northern	234	206	27	1	436	428	341	87	0	2	6	
Middle	133	94	39	0	171	169	115	54	0	1	1	
Southern	164	162	2	0	238	233	228	2	3	4	1	
Florida:												
Northern	260	237	23	0	349	337	220	116	1	10	2	
Middle	850	840	6	4	1,210	1,184	1,157	23	4	11	15	
Southern	1,540	1,511	17	12	1,705	1,649	1,632	11	6	19	37	
Georgia:												
Northern	470	423	39	8	970	945	636	273	36	5	20	
Middle	255	233	22	0	1,787	1,784	207	1,567	10	0	3	
Southern	253	109	143	1	375	374	155	219	0	0	1	

<sup>a</sup>Class A misdemeanors.<sup>b</sup>Primarily petty offenses assigned to a district judge.<sup>c</sup>Includes appeals from magistrates, reopens, and remands.Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 191-196.

Terminated										
Original proceedings							Pending Sept. 30, 2000			
Total terminated	Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>	Reopens <sup>c</sup>	Transfers	Total	Felony	Misdemeanor <sup>a</sup>	Other <sup>b</sup>
1,954	1,932	1,754	166	12	10	12	1,730	1,657	64	9
600	597	545	51	1	2	1	697	671	25	1
332	328	282	45	1	2	2	198	178	19	1
277	276	263	10	3	0	1	229	219	10	0
291	284	262	22	0	3	4	286	280	4	2
154	152	137	12	3	1	1	124	119	1	4
201	199	183	13	3	0	2	136	130	5	1
99	96	82	13	1	2	1	60	60	0	0
3,115	3,069	2,822	196	51	14	32	2,207	2,109	84	14
178	174	155	12	7	1	3	209	192	7	10
135	131	122	6	3	0	4	78	76	2	0
242	240	223	13	4	0	2	218	215	3	0
270	267	263	3	1	1	2	200	198	2	0
333	325	310	11	4	4	4	209	206	3	0
629	624	534	88	2	1	4	295	260	35	0
373	369	349	19	1	1	3	415	301	12	2
450	444	417	19	8	0	6	318	304	12	2
170	167	153	11	3	1	2	81	78	3	0
335	328	296	14	18	5	2	184	179	5	0
13,825	13,655	11,510	1,743	402	57	113	10,703	9,214	1,427	62
223	214	132	72	10	2	7	127	110	15	2
3,090	3,075	2,777	272	26	6	9	1,441	1,388	49	4
782	766	578	176	12	8	8	1,140	829	310	1
927	911	583	171	157	5	11	813	654	143	16
1,172	1,145	1,084	54	7	13	14	1,788	1,729	46	13
3,762	3,749	3,676	69	4	9	4	2,247	2,194	52	1
432	430	207	215	8	0	2	504	284	220	0
144	137	109	15	13	2	5	91	77	9	5
379	372	224	145	3	2	5	296	242	53	1
584	567	534	28	5	4	13	454	443	7	4
751	739	679	35	25	1	11	539	528	5	6
359	352	340	11	1	2	5	308	303	3	2
1,044	1,028	430	468	130	0	16	830	317	507	6
131	126	114	11	1	3	2	86	78	7	1
45	44	43	1	0	0	1	39	38	1	0
4,157	4,049	3,072	916	61	14	94	2,749	2,127	605	17
456	444	352	88	4	0	12	562	404	157	1
434	423	331	88	4	4	7	339	287	52	0
1,706	1,643	1,413	215	15	3	60	947	692	253	2
142	140	119	21	0	0	2	119	111	7	1
75	71	63	6	2	2	2	44	44	0	0
567	560	188	368	4	2	5	194	122	71	1
634	629	498	123	8	1	4	475	416	56	3
143	139	108	7	24	2	2	69	51	9	9
6,809	6,691	4,406	2,199	86	46	72	4,591	4,093	474	24
429	425	331	93	1	1	3	241	216	24	1
183	170	112	57	1	2	11	121	91	30	0
208	197	190	4	3	5	6	194	193	1	0
363	351	246	103	2	4	8	246	211	35	0
1,138	1,112	1,085	24	3	10	16	922	904	11	7
1,583	1,546	1,512	16	18	21	16	1,662	1,642	16	4
835	827	567	221	39	2	6	605	497	97	11
1,792	1,789	229	1,548	12	1	2	250	210	40	0
278	274	134	133	7	0	4	350	129	220	1

Table 5.11

**Defendants detained by U.S. District Courts<sup>a</sup>**

By circuit and district, fiscal year 2000

Circuit and district	Number of cases closed	Total detention cost (in dollars)	Before initial hearing			After initial hearing			Post adjudication		
			Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)
Total	77,675	\$426,839,711	31,859	58,401	\$3,211,840	43,345	3,936,737	\$216,799,828	30,332	3,749,232	\$206,828,043
First Circuit	2,107	23,195,946	454	1,119	68,916	1,366	241,626	14,626,394	899	142,240	8,500,636
Maine	208	1,253,150	50	94	5,710	99	9,317	565,264	89	11,244	682,176
Massachusetts	722	8,849,520	92	114	6,840	451	96,328	5,779,680	284	51,050	3,063,000
New Hampshire	177	1,048,100	1	1	50	88	10,449	522,450	75	10,512	525,600
Rhode Island	160	999,500	25	67	3,350	121	9,720	486,000	90	10,203	510,150
Puerto Rico	840	11,045,676	286	843	52,966	607	115,812	7,273,000	361	59,231	3,719,710
Second Circuit	5,920	61,151,032	1,777	2,935	188,805	3,292	439,223	27,759,658	2,218	539,646	33,202,569
Connecticut	316	2,685,932	23	44	2,992	150	21,168	1,439,424	85	18,287	1,243,516
New York:											
Northern	719	5,864,219	159	525	36,750	452	40,281	2,819,670	221	45,203	3,007,799
Eastern	1,951	21,745,173	747	1,209	77,376	1,243	135,009	8,518,910	820	209,823	12,148,887
Southern	2,250	24,896,964	690	879	50,103	1,145	200,553	11,430,288	876	236,248	13,416,573
Western	490	4,675,674	93	151	14,345	228	30,139	2,863,205	147	19,775	1,798,124
Vermont	194	1,283,070	65	127	7,239	74	12,073	688,161	69	10,310	587,670
Third Circuit	3,988	20,667,562	1,081	2,070	109,733	1,805	187,767	9,507,696	1,195	210,908	11,050,133
Delaware	122	484,850	10	18	900	40	3,914	195,700	40	5,765	288,250
New Jersey	1,374	6,649,587	283	678	30,510	556	77,683	3,433,923	434	70,849	3,185,154
Pennsylvania:											
Eastern	975	7,715,552	81	180	10,244	545	56,560	3,204,261	402	79,188	4,501,047
Middle	453	3,426,416	59	118	6,874	210	23,946	1,397,479	202	34,648	2,022,063
Western	256	800,440	40	103	4,120	97	12,168	486,720	57	7,740	309,600
Virgin Islands	808	1,590,717	608	973	57,085	357	13,496	789,613	60	12,718	744,019
Fourth Circuit	7,151	32,594,298	1,284	2,529	133,049	3,213	269,645	14,248,549	2,600	347,546	18,212,700
Maryland	815	4,949,479	199	408	25,644	400	49,772	3,125,685	244	28,633	1,798,150
North Carolina:											
Eastern	844	2,888,145	108	178	8,010	306	27,686	1,245,870	279	36,317	1,634,265
Middle	276	1,548,871	19	42	2,466	158	7,740	452,830	138	18,693	1,093,575
Western	779	6,774,802	181	324	20,088	458	41,138	2,550,556	336	67,809	4,204,158
South Carolina	1,129	4,247,845	181	325	11,375	494	50,647	1,772,645	425	70,395	2,463,825
Virginia:											
Eastern	2,028	7,319,968	265	416	26,161	867	46,829	2,940,872	666	69,314	4,352,935
Western	531	2,833,956	184	504	23,755	268	27,863	1,308,897	261	31,959	1,501,304
West Virginia:											
Northern	244	646,032	60	150	6,450	88	6,758	290,594	94	8,116	348,988
Southern	505	1,385,200	87	182	9,100	174	11,212	560,600	157	16,310	815,500
Fifth Circuit	13,740	56,450,699	8,191	16,061	794,717	8,737	607,926	29,215,494	5,622	550,417	26,440,488
Louisiana:											
Eastern	592	3,508,920	146	202	9,090	397	38,479	1,731,510	283	39,296	1,768,320
Middle	136	866,023	22	55	3,182	64	6,557	378,998	53	8,371	483,843
Western	369	1,630,438	106	196	5,684	214	28,038	813,102	135	27,988	811,652
Mississippi:											
Northern	160	521,505	27	48	2,160	82	5,337	240,165	68	6,204	279,180
Southern	397	512,260	131	289	5,780	177	13,315	266,300	125	12,009	240,180
Texas:											
Northern	1,572	6,423,253	488	854	50,149	917	51,103	2,989,779	596	57,832	3,383,325
Eastern	693	3,569,952	119	242	9,922	443	35,512	1,455,992	401	51,318	2,104,038
Southern	4,973	16,983,398	3,566	5,978	298,900	2,816	161,395	7,930,148	1,778	175,087	8,754,350
Western	4,848	22,434,950	3,586	8,197	409,850	3,627	268,190	13,409,500	2,183	172,312	8,615,600
Sixth Circuit	5,689	21,565,248	842	1,420	67,306	2,443	236,309	10,923,268	1,784	228,509	10,574,674
Kentucky:											
Eastern	595	1,545,355	138	235	8,225	268	21,719	760,165	203	22,199	776,965
Western	423	1,516,713	57	147	8,673	172	14,782	872,138	97	10,778	635,902
Michigan:											
Eastern	1,360	5,792,572	180	257	15,211	462	52,536	3,121,206	271	45,055	2,656,155
Western	442	2,174,040	74	119	6,545	227	15,067	828,685	211	24,342	1,338,810
Ohio:											
Northern	851	2,726,950	57	107	5,350	330	28,825	1,441,250	223	25,607	1,280,350
Southern	684	1,930,428	94	162	5,832	261	28,023	1,008,828	180	25,438	915,768
Tennessee:											
Eastern	572	2,769,450	201	313	14,640	286	24,525	1,140,486	282	34,715	1,614,324
Middle	264	1,484,520	23	43	1,720	141	22,555	902,200	104	14,515	580,600
Western	498	1,625,220	18	37	1,110	296	28,277	848,310	213	25,860	775,800

See notes at end of table.

Table 5.11

**Defendants detained by U.S. District Courts<sup>a</sup>**

By circuit and district, fiscal year 2000--Continued

Circuit and district	Number of cases closed	Total detention cost (in dollars)	Before initial hearing			After initial hearing			Post adjudication		
			Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)
Seventh Circuit	2,923	\$19,989,617	846	1,392	\$80,286	1,628	183,000	\$10,327,735	1,236	165,371	\$9,581,596
Illinois:											
Northern	960	6,376,122	353	458	27,480	454	57,696	3,465,773	286	47,992	2,882,869
Central	383	3,126,360	118	230	13,800	235	24,314	1,458,840	201	27,562	1,653,720
Southern	420	3,597,372	132	237	12,798	308	29,925	1,615,950	299	36,456	1,968,624
Indiana:											
Northern	371	3,378,045	155	305	17,995	229	26,175	1,544,325	208	30,775	1,815,725
Southern	292	1,391,026	34	55	2,294	156	26,919	1,117,180	67	6,543	271,552
Wisconsin:											
Eastern	352	1,785,030	23	34	2,210	205	14,818	963,170	127	12,610	819,650
Western	145	335,662	31	73	3,709	41	3,153	162,497	48	3,433	169,456
Eighth Circuit	4,424	25,796,536	1,132	2,226	124,952	2,604	213,006	12,716,432	1,888	207,160	12,955,152
Arkansas:											
Eastern	311	533,070	31	58	1,740	100	11,019	330,570	75	6,692	200,760
Western	173	486,810	67	234	7,020	91	7,234	217,020	75	8,759	262,770
Iowa:											
Northern	309	2,588,400	82	226	14,690	178	24,132	1,568,580	148	15,458	1,004,770
Southern	423	3,097,477	55	69	4,623	308	22,052	1,477,484	240	24,110	1,615,370
Minnesota:											
Northern	569	3,465,056	199	329	18,424	317	26,640	1,491,840	246	34,907	1,954,792
Missouri:											
Eastern	845	2,585,205	76	132	5,940	513	28,989	1,304,505	303	28,328	1,274,760
Western	632	7,202,200	176	278	27,800	358	29,258	2,925,800	279	42,486	4,248,600
Nebraska:											
Northern	538	4,225,323	176	406	24,830	364	41,798	2,559,288	265	26,804	1,641,205
North Dakota:											
Northern	230	478,550	82	173	8,650	115	5,027	251,350	62	4,371	218,550
South Dakota:											
Northern	394	1,134,805	188	321	11,235	260	16,857	589,995	195	15,245	533,575
Ninth Circuit	18,913	104,738,252	11,313	20,496	1,210,457	10,825	907,554	54,338,917	7,812	813,643	49,188,878
Alaska:											
Northern	274	2,136,444	114	287	30,603	145	10,115	1,077,858	108	9,647	1,027,983
Arizona:											
Northern	5,508	29,334,423	4,197	6,251	356,307	4,133	276,170	15,741,690	2,774	232,218	13,236,426
California:											
Northern	968	8,303,636	142	285	19,739	589	71,151	5,415,218	323	37,384	2,868,679
Eastern	891	5,187,550	469	843	42,150	726	78,886	3,944,300	222	24,022	1,201,100
Central	2,120	13,522,575	977	1,950	107,250	1,235	126,688	6,967,840	746	117,227	6,447,485
Southern	4,787	16,619,568	4,201	7,940	452,580	1,431	94,430	5,381,220	1,924	189,224	10,785,768
Hawaii:											
Northern	334	4,887,879	135	396	39,266	245	19,879	1,971,798	170	29,003	2,876,815
Idaho:											
Northern	217	680,442	77	165	6,930	121	7,946	333,732	84	8,090	339,780
Montana:											
Northern	389	1,872,241	135	274	11,970	225	22,883	995,880	181	19,862	864,391
Nevada:											
Northern	853	6,623,832	332	494	30,628	401	59,545	3,691,790	331	46,797	2,901,414
Oregon:											
Northern	875	6,310,140	144	248	14,880	659	74,927	4,495,620	307	29,994	1,799,640
Washington:											
Eastern	286	1,707,120	159	765	45,900	213	15,754	945,240	119	11,933	715,980
Western	1,099	4,579,757	112	228	13,452	528	36,904	2,177,336	189	40,491	2,388,969
Guam:											
Northern	228	2,293,759	114	391	38,215	129	8,947	874,119	102	14,138	1,381,425
Northern Marianas:											
Northern	84	678,886	5	6	587	45	3,329	325,276	39	3,613	353,023
Tenth Circuit	5,259	30,381,216	2,431	4,054	251,168	3,395	287,985	17,113,026	2,056	220,011	13,017,022
Colorado:											
Northern	538	3,109,808	176	341	17,732	357	36,940	1,920,880	206	22,523	1,171,196
Kansas:											
Northern	592	3,255,090	149	285	18,029	317	26,207	1,657,624	226	24,971	1,579,437
New Mexico:											
Northern	2,369	16,890,695	1,718	2,577	175,236	1,831	138,873	9,435,855	1,010	107,053	7,279,604
Oklahoma:											
Northern	316	1,038,520	49	89	3,560	151	11,929	477,160	99	13,945	557,800
Eastern	106	226,118	37	86	3,526	42	1,470	60,182	31	3,967	162,410
Western	567	1,608,435	78	143	6,435	172	13,395	602,775	141	22,205	999,225
Utah:											
Northern	488	3,162,400	117	211	10,550	379	45,388	2,269,400	238	17,649	882,450
Wyoming:											
Northern	283	1,090,150	107	322	16,100	146	13,783	689,150	105	7,698	384,900
Eleventh Circuit	7,561	30,309,305	2,508	4,099	182,451	4,037	362,696	16,022,659	3,022	323,781	14,104,195
Alabama:											
Northern	464	1,152,500	68	108	5,400	193	12,307	615,350	128	10,635	531,750
Middle	157	480,299	50	61	3,050	62	6,687	308,899	35	3,367	168,350
Southern	319	1,026,272	68	103	3,296	173	12,120	387,840	141	19,848	635,136
Florida:											
Northern	427	1,646,960	126	263	9,811	242	19,769	739,363	211	24,005	897,786
Middle	1,857	7,320,731	401	576	24,768	1,141	81,772	3,508,867	879	88,072	3,787,096
Southern	2,435	14,115,917	1,227	1,972	102,300	1,453	154,125	7,939,537	1,064	117,351	6,074,080
Georgia:											
Northern	944	2,863,014	343	577	19,041	501	48,041	1,585,353	332	38,140	1,258,620
Middle	704	1,063,214	161	298	10,132	143	17,575	597,550	113	13,398	455,532
Southern	254	640,398	64	141	4,653	129	10,300	339,900	119	8,965	295,845

<sup>a</sup>Excludes the District of Columbia and includes transfers.Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 306-308.

Table 5.12

**Federal defendants released or detained prior to trial in U.S. District Courts**

By offense, United States, fiscal year 1999

Most serious offense charged	Number of defendants			Percent of defendants released at any time before case disposition					Percent of defendants detained at any time before case disposition					
				All releases	Released on:				All detentions	Temporary detention <sup>b</sup>	Held on bail for:			
					Financial <sup>a</sup>	Unsecured bond	Personal recognizance	Conditional release			Part of pretrial period	All of pretrial period	Denied bail	Other detentions
	Total	Released	Detained											
All offenses <sup>c</sup>	65,559	30,841	44,626	47.0%	17.8%	48.8%	27.8%	5.6%	68.1%	2.7%	18.8%	13.1%	55.1%	10.3%
Violent offenses	3,453	1,212	2,778	35.1	10.6	40.7	43.6	5.0	80.5	0.7	14.7	4.3	64.2	16.1
Murder, nonnegligent manslaughter	220	86	174	39.1	10.5	17.4	66.3	5.8	79.1	0.6	10.3	1.1	78.2	9.8
Negligent manslaughter	8	7	4	B	B	B	B	B	B	B	B	B	B	B
Assault	762	446	470	58.5	4.0	41.0	47.8	7.2	61.7	0.6	24.3	9.1	53.6	12.3
Robbery	2,081	500	1,847	24.0	18.2	48.6	29.6	3.6	88.8	0.8	11.4	3.7	66.9	17.2
Sexual abuse <sup>d</sup>	195	129	112	66.2	3.1	22.5	70.5	3.9	57.4	0.0	35.7	0.0	54.5	9.8
Kidnaping	147	38	133	25.9	18.4	47.4	31.6	2.6	90.5	0.0	13.5	3.0	59.4	24.1
Threats against the President	40	6	38	15.0	B	B	B	B	95.0	2.6	7.9	5.3	50.0	34.2
Property offenses	13,850	11,201	4,301	80.9	9.3	54.4	31.8	4.5	31.1	1.2	33.4	8.1	44.9	12.4
Fraudulent offenses	10,808	8,754	3,373	81.0	10.2	57.8	29.7	2.3	31.2	1.3	33.8	7.6	45.9	11.4
Embezzlement	1,514	1,429	165	94.4	2.6	53.7	39.9	3.8	10.9	2.4	41.8	5.5	32.1	18.2
Fraud <sup>e</sup>	7,736	6,134	2,588	79.3	12.1	57.7	28.1	2.0	33.5	1.2	33.2	7.0	46.9	11.7
Forgery	255	206	72	80.8	5.8	66.0	25.2	2.9	28.2	0.0	30.6	8.3	38.9	22.2
Counterfeiting	1,303	985	548	75.6	10.2	62.1	25.9	1.8	42.1	1.5	34.7	11.1	46.4	6.4
Other offenses	3,042	2,447	928	80.4	6.0	42.4	39.0	12.5	30.5	0.9	32.1	9.6	41.3	16.2
Burglary	136	80	84	58.8	6.3	41.3	50.0	2.5	61.8	1.2	32.1	9.5	42.9	14.3
Larceny <sup>f</sup>	2,286	1,964	530	85.9	4.0	40.9	40.8	14.3	23.2	0.6	35.8	10.2	39.4	14.0
Motor vehicle theft	223	119	141	53.4	26.9	46.2	22.7	4.2	63.2	2.1	19.1	5.0	49.6	24.1
Arson and explosives	147	89	86	60.5	19.1	57.3	23.6	0.0	58.5	1.2	29.1	9.3	41.9	18.6
Transportation of stolen property	158	111	69	70.3	10.8	56.8	29.7	2.7	43.7	0.0	24.6	14.5	42.0	18.8
Other property offenses <sup>g</sup>	92	84	18	91.3	3.6	39.3	38.1	19.0	19.6	0.0	66.7	11.1	16.7	5.6
Drug offenses	26,291	10,762	21,221	40.9	29.1	47.9	19.0	4.1	80.7	2.0	22.5	12.3	54.2	9.1
Trafficking	23,901	9,461	19,784	39.6	30.4	50.2	16.8	2.7	82.8	1.8	22.6	12.6	54.1	9.0
Other	2,390	1,301	1,437	54.4	19.6	31.5	34.7	14.1	60.1	5.1	21.3	7.3	55.0	11.2
Public-order offenses	21,727	7,506	16,221	34.5	15.7	43.4	31.7	9.2	74.7	4.4	11.0	17.1	57.4	10.2
Regulatory offenses	2,382	1,678	1,050	70.4	16.3	46.4	33.0	4.4	44.1	1.0	30.3	9.7	43.0	16.1
Agriculture	127	119	17	93.7	8.4	53.8	33.6	4.2	13.4	0.0	35.3	5.9	35.3	23.5
Antitrust	28	28	13	100.0	0.0	14.3	85.7	0.0	46.4	0.0	100.0	0.0	0.0	0.0
Food and drug	41	39	6	95.1	12.8	41.0	38.5	7.7	14.6	B	B	B	B	B
Transportation	57	47	17	82.5	10.6	48.9	31.9	8.5	29.8	0.0	41.2	11.8	47.1	0.0
Civil rights	100	93	13	93.0	24.7	47.3	28.0	0.0	13.0	0.0	38.5	0.0	30.8	30.8
Communications	46	42	7	91.3	7.1	54.8	35.7	2.4	15.2	B	B	B	B	B
Customs laws	120	98	59	81.7	30.6	56.1	11.2	2.0	49.2	0.0	55.9	20.3	22.0	1.7
Postal laws	162	147	18	90.7	0.7	63.3	34.0	2.0	11.1	0.0	16.7	0.0	50.0	33.3
Other regulatory offenses	1,701	1,065	900	62.6	18.5	42.8	33.5	5.2	52.9	1.1	27.2	9.6	45.1	17.0
Other offenses	19,345	5,828	15,171	30.1	15.5	42.6	31.3	10.7	78.4	4.6	9.6	17.6	58.4	9.8
Weapons	2,687	1,225	1,900	45.6	14.9	53.2	28.7	3.2	70.7	2.4	18.7	4.2	57.4	17.3
Immigration offenses	11,859	1,150	11,440	9.7	33.0	41.0	18.3	7.7	96.5	5.6	6.1	22.1	58.8	7.5
Tax law violations including tax fraud	670	641	74	95.7	5.3	53.7	37.8	3.3	11.0	0.0	56.8	2.7	27.0	13.5
Bribery	167	152	33	91.0	12.5	57.2	30.3	0.0	19.8	6.1	48.5	12.1	33.3	0.0
Perjury, contempt, intimidation	239	173	106	72.4	10.4	53.2	32.9	3.5	44.4	0.9	27.4	2.8	51.9	17.0
National defense	52	34	23	65.4	11.8	35.3	41.2	11.8	44.2	0.0	17.4	8.7	73.9	0.0
Escape	604	92	550	15.2	18.5	35.9	39.1	6.5	91.1	0.7	5.6	1.1	71.1	21.5
Racketeering and extortion	855	482	527	56.4	32.0	49.2	16.6	2.3	61.6	0.6	22.8	2.7	59.6	14.4
Gambling offenses	86	84	9	97.7	6.0	71.4	22.6	0.0	10.5	B	B	B	B	B
Liquor offenses	3	3	0	B	B	B	B	B	B	X	X	X	X	X
Nonviolent sex offenses	432	312	202	72.2	15.4	47.4	33.7	3.5	46.8	0.5	32.7	3.5	53.5	9.9
Mail or transport of obscene material	62	49	22	79.0	14.3	53.1	30.6	2.0	35.5	0.0	27.3	4.5	54.5	13.6
Migratory birds	24	23	2	95.8	0.0	26.1	43.5	30.4	8.3	B	B	B	B	B
All other <sup>h</sup>	1,605	1,408	283	87.7	2.5	22.1	45.1	30.3	17.6	1.8	30.7	5.3	40.6	21.6

See notes on next page.



Table 5.12

**Federal defendants released or detained prior to trial in U.S. District Courts**

By offense, United States, fiscal year 1999--Continued

Note: These data are from the U.S. Department of Justice, Bureau of Justice Statistics' Federal Justice Statistics Program database. Sources of information include the Executive Office for U.S. Attorneys, the Administrative Office of the United States Courts, the U.S. Sentencing Commission, the U.S. Marshals Service, the Drug Enforcement Administration, and the Federal Bureau of Prisons. The Administrative Office of the United States Courts also maintains data collected by the Federal pretrial services agencies (PSA), the U.S. Courts of Appeals, and the Federal probation and supervision service.

Tables presenting pretrial release and detention information were created from the PSA data files. The data describe 65,559 defendants who terminated pretrial services during fiscal year 1999 and whose cases were filed by complaint, indictment, or information.

"Released" defendants includes some defendants who also were detained prior to trial;

"detained" defendants includes some defendants who also were released prior to trial.

Total includes defendants for whom release status data were unavailable. For methodology and definitions of terms, see [Appendix 10](#).

<sup>a</sup>Includes deposit bond, surety bond, and collateral bond.

<sup>b</sup>Held under 18 U.S.C. 3142 pending deportation, action on prior pretrial release, or probation or parole review.

<sup>c</sup>Includes 238 defendants for whom offense category could not be determined, 160 of whom were released, 105 of whom were detained.

<sup>d</sup>Includes only violent sex offenses.

<sup>e</sup>Excludes tax fraud.

<sup>f</sup>Excludes transportation of stolen property.

<sup>g</sup>Excludes fraudulent property offenses; includes destruction of property and trespass.

<sup>h</sup>Includes offenses with unclassifiable offense type.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), pp. 41, 43. Table adapted by SOURCEBOOK staff.

Table 5.13

**Federal pretrial detention hearings and defendants ordered detained in U.S. District Courts**

By characteristics, United States, fiscal year 1999

Defendant characteristics	Defendants with pretrial detention hearings				
	Number of defendants	Number of defendants		Percent of defendants with hearings held	Of defendants with hearings ordered detained
		Hearings held	Ordered detained		
All defendants <sup>a</sup>	65,559	33,188	24,561	50.6%	74.0%
<u>Sex</u>					
Male	54,795	29,649	22,458	54.1	75.7
Female	10,689	3,518	2,087	32.9	59.3
<u>Race</u>					
White	44,519	22,179	16,792	49.8	75.7
Black	17,098	8,948	6,382	52.3	71.3
Native American	1,229	713	413	58.0	57.9
Asian/Pacific Islander	1,939	1,032	778	53.2	75.4
<u>Ethnicity</u>					
Hispanic	25,970	16,265	13,230	62.6	81.3
Non-Hispanic	38,541	16,697	11,185	43.3	67.0
<u>Age</u>					
16 to 18 years	1,140	613	424	53.8	69.2
19 to 20 years	3,137	1,575	1,079	50.2	68.5
21 to 30 years	21,144	11,422	8,213	54.0	71.9
31 to 40 years	15,754	8,084	5,736	51.3	71.0
Over 40 years	13,210	5,125	3,326	38.8	64.9
<u>Education</u>					
Less than high school graduate	19,756	11,511	8,331	58.3	72.4
High school graduate	16,098	7,415	4,938	46.1	66.6
Some college	10,165	3,768	2,284	37.1	60.6
College graduate	4,108	1,084	656	26.4	60.5
<u>Marital status</u>					
Never married	20,381	10,877	7,670	53.4	70.5
Divorced/separated	9,611	4,348	2,891	45.2	66.5
Married	17,113	7,171	4,919	41.9	68.6
Common law	4,608	2,619	1,840	56.8	70.3
Other	13,846	8,173	7,241	59.0	88.6
<u>Employment status at arrest</u>					
Unemployed	22,395	12,563	8,977	56.1	71.5
Employed	29,331	12,309	8,140	42.0	66.1
<u>Criminal record</u>					
No convictions <sup>b</sup>	22,140	8,915	6,320	40.3	70.9
Prior conviction					
Misdemeanor only	10,328	4,595	2,961	44.5	64.4
Felony					
Nonviolent	14,219	8,453	6,659	59.4	78.8
Violent	9,568	6,439	5,157	67.3	80.1
Number of prior convictions					
1	10,463	5,214	3,747	49.8	71.9
2 to 4	14,061	8,078	6,116	57.4	75.7
5 or more	9,591	6,195	4,914	64.6	79.3

Note: See Note, table 5.12. For methodology and definitions of terms, see Appendix 10.

<sup>a</sup>Includes defendants for whom these characteristics were unknown.<sup>b</sup>Includes only those defendants whose PSA records explicitly showed no prior convictions.Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), p. 46. Table adapted by SOURCEBOOK staff.

Table 5.14

**Federal defendants released or detained prior to trial in U.S. District Courts**

By characteristics, United States, fiscal year 1999

Defendant characteristics	Number of defendants	Defendants released		Defendants detained	
		Number	Percent	Number	Percent
All defendants <sup>a</sup>	65,559	30,841	47.0%	44,626	68.1%
<u>Sex</u>					
Male	54,795	23,032	42.0	39,691	72.4
Female	10,689	7,754	72.5	4,908	45.9
<u>Race</u>					
White	44,519	19,812	44.5	31,097	69.9
Black	17,098	8,970	52.5	10,949	64.0
Native American	1,229	787	64.0	763	62.1
Asian/Pacific Islander	1,939	904	46.6	1,332	68.7
<u>Ethnicity</u>					
Hispanic	25,970	5,908	22.7	23,516	90.6
Non-Hispanic	38,541	24,312	63.1	20,610	53.5
<u>Age</u>					
16 to 18 years	1,140	586	51.4	817	71.7
19 to 20 years	3,137	1,664	53.0	2,152	68.6
21 to 30 years	21,144	9,741	46.1	15,117	71.5
31 to 40 years	15,754	7,773	49.3	10,661	67.7
Over 40 years	13,210	8,660	65.6	6,663	50.4
<u>Education</u>					
Less than high school graduate	19,756	7,955	40.3	15,486	78.4
High school graduate	16,098	9,796	60.9	9,348	58.1
Some college	10,165	7,288	71.7	4,784	47.1
College graduate	4,108	3,278	79.8	1,371	33.4
<u>Marital status</u>					
Never married	20,381	10,425	51.2	13,853	68.0
Divorced/separated	9,611	5,675	59.0	5,740	59.7
Married	17,113	10,326	60.3	9,505	55.5
Common law	4,608	2,063	44.8	3,451	74.9
Other	13,846	2,352	17.0	12,077	87.2
<u>Employment status at arrest</u>					
Unemployed	22,395	10,042	44.8	16,422	73.3
Employed	29,331	18,572	63.3	15,992	54.5
<u>Criminal record</u>					
No convictions <sup>b</sup>	22,140	13,077	59.1	12,285	55.5
Prior conviction					
Misdemeanor only	10,328	6,141	59.5	6,256	60.6
Felony					
Nonviolent	14,219	4,529	31.9	11,506	80.9
Violent	9,568	2,407	25.2	8,327	87.0
Number of prior convictions					
1	10,463	5,121	48.9	7,078	67.6
2 to 4	14,061	5,371	38.2	10,843	77.1
5 or more	9,591	2,585	27.0	8,168	85.2

Note: See Note, table 5.12. "Released" defendants includes some defendants who also were detained prior to trial; "detained" defendants includes some defendants who also were released prior to trial. Total includes defendants for whom release status data were unavailable. For methodology and definitions of terms, see Appendix 10.

<sup>a</sup>Includes defendants for whom these characteristics were unknown.<sup>b</sup>Includes only those defendants whose PSA records explicitly showed no prior convictions.Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), pp. 42, 44. Table adapted by SOURCEBOOK staff.

Table 5.15

**Behavior of Federal defendants released prior to trial in U.S. District Courts**

By offense, type of release, and characteristics, United States, fiscal year 1999

		Percent of released defendants who had:						
Most serious offense charged, type of release, and defendant characteristics	Number of released defendants	Violations while on release						Release revoked
		No violation	At least one	Failed to appear	New offense charged		Technical violations of bail conditions	
					Felony	Mis- demeanor		
All defendants <sup>a</sup>	30,841	81.7%	18.3%	2.7%	1.8%	1.6%	16.6%	6.7%
<u>Offense charged</u>								
Violent offenses	1,212	76.7	23.3	2.3	2.0	2.6	21.4	11.9
Property offenses	11,201	88.1	11.9	1.8	1.5	1.1	10.5	4.6
Fraudulent offenses	8,754	88.5	11.5	1.8	1.5	1.1	10.1	4.4
Other offenses	2,447	86.5	13.5	1.9	1.6	1.3	12.1	5.2
Drug offenses	10,762	71.5	28.5	4.0	2.4	2.3	26.3	10.0
Public-order offenses	7,506	87.5	12.5	2.1	1.2	1.3	11.2	4.2
Regulatory offenses	1,678	91.4	8.6	1.7	0.5	0.8	7.7	2.1
Other offenses	5,828	86.4	13.6	2.2	1.4	1.4	12.1	4.8
<u>Type of release</u>								
Financial release	5,485	75.4	24.6	5.6	2.6	1.8	21.6	6.4
Unsecured bond	8,581	81.9	18.1	1.9	1.2	1.8	17.2	7.5
Personal recognizance	15,048	82.2	17.8	2.3	2.0	1.6	16.0	6.9
Conditional release	1,727	95.9	4.1	1.0	0.2	0.5	3.6	1.7
<u>Sex</u>								
Male	23,032	80.2	19.8	2.9	1.9	1.8	17.9	7.3
Female	7,754	86.0	14.0	2.2	1.2	1.0	12.8	4.9
<u>Race</u>								
White	19,812	83.3	16.7	2.8	1.6	1.4	15.1	5.7
Black	8,970	77.9	22.1	2.5	2.3	2.0	20.2	8.2
Native American	787	74.0	26.0	2.2	0.9	4.4	24.7	16.8
Asian/Pacific Islander	904	87.5	12.5	1.5	0.8	0.8	11.7	5.5
<u>Ethnicity</u>								
Hispanic	5,908	79.8	20.2	5.8	1.6	1.3	17.7	5.2
Non-Hispanic	24,312	81.9	18.1	2.0	1.8	1.8	16.6	7.1
<u>Age</u>								
16 to 18 years	586	72.5	27.5	4.1	3.2	2.9	24.6	12.1
19 to 20 years	1,664	72.5	27.5	3.7	2.8	2.4	24.9	11.3
21 to 30 years	9,741	76.7	23.3	3.1	2.2	2.5	21.4	8.5
31 to 40 years	7,773	80.6	19.4	2.9	1.9	1.4	17.7	7.1
Over 40 years	8,660	87.9	12.1	1.9	1.0	0.9	10.9	4.1
<u>Education</u>								
Less than high school graduate	7,955	74.0	26.0	4.5	2.6	2.4	23.5	9.9
High school graduate	9,796	80.5	19.5	2.1	1.8	1.9	17.8	7.1
Some college	7,288	84.4	15.6	1.9	1.3	1.2	14.4	5.4
College graduate	3,278	91.2	8.8	1.3	1.1	0.5	8.0	3.2

Note: See Note, table 5.12. Data describe defendants whose pretrial services were terminated in fiscal year 1999. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For methodology and definitions of terms, see Appendix 10.

<sup>a</sup>Includes 160 defendants for whom offense category could not be determined.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), pp. 47, 48. Table adapted by SOURCEBOOK staff.

Table 5.16

**Disposition of cases terminated in U.S. District Courts**

By offense, United States, fiscal year 1999

			Number of defendants in cases terminated during 1999 who were:								
Most serious offense charged	Total defendants	Percent of all defendants convicted	Convicted					Not convicted			
			Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed	Trial	
						Jury	Non-jury			Jury <sup>a</sup>	Non-jury
All offenses	75,723	87.2%	66,055	62,404	415	2,733	503	9,668	8,552	563	553
Felonies	62,839	90.5	56,865	53,973	32	2,690	170	5,974	5,332	547	95
Violent offenses	3,093	89.9	2,781	2,513	5	238	25	312	243	60	9
Murder, nonnegligent manslaughter	461	83.1	383	324	0	50	9	78	56	18	4
Assault	383	84.1	322	291	1	25	5	61	44	15	2
Robbery	1,676	94.7	1,587	1,468	4	107	8	89	79	10	0
Sexual abuse <sup>b</sup>	354	87.3	309	274	0	32	3	45	32	12	1
Kidnaping	191	83.8	160	137	0	23	0	31	29	1	1
Threats against the President	28	71.4	20	19	0	1	0	8	3	4	1
Property offenses	14,055	90.4	12,712	12,144	8	536	24	1,343	1,183	128	32
Fraudulent offenses	11,587	90.6	10,493	10,032	7	433	21	1,094	962	111	21
Embezzlement	1,103	91.7	1,012	981	0	30	1	91	79	6	6
Fraud <sup>c</sup>	8,755	90.1	7,892	7,507	7	362	16	863	756	93	14
Forgery	151	90.7	137	134	0	3	0	14	13	0	1
Counterfeiting	1,578	92.0	1,452	1,410	0	38	4	126	114	12	0
Other offenses	2,468	89.9	2,219	2,112	1	103	3	249	221	17	11
Burglary	84	91.7	77	75	0	2	0	7	6	1	0
Larceny <sup>d</sup>	1,560	90.5	1,412	1,376	0	36	0	148	134	6	8
Motor vehicle theft	158	88.6	140	134	0	4	2	18	16	1	1
Arson and explosives	241	88.4	213	178	1	33	1	28	20	7	1
Transportation of stolen property	370	88.9	329	302	0	27	0	41	38	2	1
Other property offenses <sup>e</sup>	55	87.3	48	47	0	1	0	7	7	0	0
Drug offenses	27,008	89.9	24,275	22,956	11	1,258	50	2,733	2,502	202	29
Trafficking	25,334	89.8	22,748	21,525	11	1,167	45	2,586	2,367	192	27
Possession and other	1,674	91.2	1,527	1,431	0	91	5	147	135	10	2
Public-order offenses	18,683	91.5	17,097	16,360	8	658	71	1,586	1,404	157	25
Regulatory offenses	1,306	83.7	1,093	1,032	2	57	2	213	177	32	4
Agriculture	121	76.0	92	85	2	5	0	29	25	4	0
Antitrust	41	97.6	40	33	0	7	0	1	0	1	0
Food and drug	26	96.2	25	25	0	0	0	1	1	0	0
Transportation	92	83.7	77	67	0	8	2	15	11	4	0
Civil rights	126	60.3	76	65	0	11	0	50	31	19	0
Communications	22	81.8	18	17	0	1	0	4	3	0	1
Customs laws	101	84.2	85	84	0	1	0	16	13	1	2
Postal laws	41	80.5	33	32	0	1	0	8	8	0	0
Other regulatory offenses	736	87.9	647	624	0	23	0	89	85	3	1
Other offenses	17,377	92.1	16,004	15,328	6	601	69	1,373	1,227	125	21
Weapons	4,087	88.6	3,623	3,269	0	327	27	464	394	61	9
Immigration offenses	9,759	95.4	9,306	9,215	1	73	17	453	426	23	4
Tax law violations											
including tax fraud	635	95.7	608	567	1	39	1	27	23	4	0
Bribery	202	87.6	177	170	0	6	1	25	20	5	0
Perjury, contempt, intimidation	348	86.2	300	260	3	31	6	48	32	14	2
National defense	70	68.6	48	44	0	4	0	22	22	0	0
Escape	585	76.1	445	434	1	7	3	140	136	1	3
Racketeering and extortion	1,099	88.7	975	865	0	101	9	124	105	17	2
Gambling offenses	20	90.0	18	15	0	3	0	2	2	0	0
Liquor offenses	1	B	0	X	X	X	X	1	1	0	0
Nonviolent sex offenses	432	91.0	393	384	0	8	1	39	38	0	1
Mail or transport of obscene material	13	69.2	9	8	0	1	0	4	4	0	0
Traffic	29	93.1	27	23	0	1	3	2	2	0	0
Migratory birds	1	B	1	1	0	0	0	0	X	X	X
Other felonies <sup>f</sup>	96	77.1	74	73	0	0	1	22	22	0	0
Misdemeanors <sup>g</sup>	12,793	71.2	9,115	8,365	383	40	327	3,678	3,207	16	455

Note: See Note, table 5.12. These data are from the Administrative Office of the United States Courts' master data files. Only records with cases that terminated during fiscal year 1999 were selected. Total includes 91 defendants whose offense category could not be determined. For methodology and definitions of terms, see Appendix 10.

<sup>a</sup>Excludes fraudulent property offenses; includes destruction of property and trespass.

<sup>f</sup>Includes felonies with unknown or unclassifiable offense type.

<sup>g</sup>Includes misdemeanors, petty offenses, and unknown offense level.

<sup>a</sup>Includes mistrials.

<sup>b</sup>Includes only violent sex offenses.

<sup>c</sup>Excludes tax fraud.

<sup>d</sup>Excludes transportation of stolen property.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), p. 56.

Table 5.17

**Federal defendants convicted in U.S. District Courts**By offense and characteristics, United States, fiscal year 1999<sup>a</sup>

Defendant characteristics	Total number of convicted defendants	Percent of defendants convicted of:							
		All offenses <sup>b</sup>	Violent offenses	Felonies		Drug offenses	Public-order offenses		Mis-demeanors
				Fraudulent	Other		Regulatory	Other	
All offenders <sup>c</sup>	66,055	66,055	2,715	10,203	2,029	23,476	1,410	16,031	10,118
<b>Sex</b>									
Male	48,092	84.5%	91.0%	73.3%	73.8%	85.9%	75.0%	94.1%	73.7%
Female	8,844	15.5	9.0	26.7	26.2	14.1	25.0	5.9	26.3
<b>Race</b>									
White	37,566	67.4	45.8	62.8	62.5	64.5	76.2	79.0	64.7
Black	15,423	27.7	33.1	31.4	30.0	33.3	18.3	17.4	24.7
Native American	959	1.7	18.4	0.9	4.0	0.7	0.9	0.8	1.9
Asian/Pacific Islander	1,544	2.8	2.2	4.3	3.1	1.2	4.2	2.4	8.1
Other	223	0.4	0.4	0.5	0.4	0.3	0.3	0.5	0.5
<b>Ethnicity</b>									
Hispanic	21,892	38.7	9.5	15.2	9.1	42.6	36.0	60.1	27.2
Non-Hispanic	34,642	61.3	90.5	84.8	90.9	57.4	64.0	39.9	72.8
<b>Age</b>									
16 to 18 years	459	0.8	1.6	0.1	0.5	0.9	0.9	0.6	2.3
19 to 20 years	2,695	4.9	8.9	2.7	4.8	5.3	3.9	4.3	8.4
21 to 30 years	21,531	39.3	39.2	29.0	32.1	44.5	27.7	41.0	35.6
31 to 40 years	16,556	30.2	29.0	30.6	31.5	29.6	29.8	32.2	25.8
Over 40 years	13,548	24.7	21.2	37.5	31.2	19.7	37.6	22.0	27.8
<b>Citizenship</b>									
U.S. citizen	36,975	65.7	93.9	82.6	92.8	68.7	68.2	41.5	69.0
Not U.S. citizen	19,267	34.3	6.1	17.4	7.2	31.3	31.8	58.5	31.0
<b>Education</b>									
Less than high school graduate	23,442	44.8	39.6	22.8	29.0	50.8	34.0	59.7	27.1
High school graduate	15,746	30.1	37.7	30.5	36.3	31.1	29.4	23.4	39.0
Some college	9,632	18.4	18.7	30.0	26.8	15.4	22.2	11.9	24.3
College graduate	3,507	6.7	4.0	16.8	7.9	2.7	14.5	5.0	9.6
<b>Criminal record</b>									
No convictions	25,794	45.3	31.3	57.0	49.1	45.5	71.5	30.2	65.7
Prior adult convictions <sup>d</sup>	31,186	54.7	68.7	43.0	50.9	54.5	28.5	69.8	34.3

Note: See Note, table 5.12. These data were created by matching the Administrative Office of the United States Courts master data files with the U.S. Sentencing Commission monitoring system files (which are limited to defendants sentenced under the Federal sentencing guidelines) and the Federal pretrial services agencies' data files. Offenders were classified by the most serious offense charged. For methodology and definitions of terms, see Appendix 10.

<sup>c</sup>Includes offenders for whom these characteristics could not be determined.

<sup>d</sup>For some defendants, prior adult convictions are limited to those used in calculating sentences under the Federal sentencing guidelines (see Source, p. 60).

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes defendants for whom offense category could not be determined.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), p. 59.

Table 5.18

**Sentences imposed in cases terminated in U.S. District Courts**

By offense, United States, fiscal year 1999

Most serious conviction offense	Total offenders sentenced <sup>a</sup>	Percent of offenders convicted and sentenced to:				Sentence length (in months)			
		Incarceration <sup>b</sup>	Probation <sup>c</sup>	Split or mixed sentence <sup>d</sup>	Fine only	Incarceration <sup>e</sup>		Probation <sup>e</sup>	
						Mean	Median	Mean	Median
All offenses	66,055	72.2%	19.6%	0.9%	4.8%	57.8	33.0	33.9	36.0
Felonies	55,864	82.5	14.3	0.8	0.5	59.4	36.0	40.4	36.0
Violent offenses	2,715	91.7	7.7	1.0	0.1	87.7	60.0	40.1	36.0
Murder, nonnegligent manslaughter	296	88.9	8.8	0.0	0.3	87.1	51.0	37.3	36.0
Assault	304	74.7	22.4	1.0	0.0	39.8	30.0	34.6	36.0
Robbery	1,656	96.6	3.7	1.2	0.1	95.5	70.0	41.5	36.0
Sexual abuse <sup>f</sup>	299	85.3	14.7	0.7	0.0	73.3	42.0	45.8	60.0
Kidnaping	138	92.0	2.9	0.7	0.7	114.1	70.0	B	B
Threats against the President	22	81.8	18.2	0.0	0.0	33.3	31.5	B	B
Property offenses	12,232	58.9	35.3	1.2	1.2	24.0	15.0	40.8	36.0
Fraudulent offenses	10,203	59.5	34.0	1.3	1.3	22.3	14.0	40.6	36.0
Embezzlement	903	51.9	32.1	0.9	2.1	14.2	8.0	38.7	36.0
Fraud <sup>g</sup>	7,920	60.5	33.4	1.4	1.4	23.5	15.0	41.3	36.0
Forgery	128	41.4	55.5	0.0	0.0	20.5	12.0	40.9	36.0
Counterfeiting	1,252	60.4	37.0	0.9	0.3	19.9	13.0	37.9	36.0
Other offenses	2,029	56.0	41.8	0.8	0.5	33.1	18.0	41.7	36.0
Burglary	76	65.8	34.2	2.6	0.0	31.3	24.0	44.0	37.5
Larceny <sup>h</sup>	1,339	47.9	50.1	0.9	0.5	27.1	13.0	41.6	36.0
Motor vehicle theft	139	69.8	25.9	0.7	0.0	27.2	18.0	46.7	48.0
Arson and explosives	168	82.1	14.3	1.2	0.6	70.3	57.0	36.5	36.0
Transportation of stolen property	269	72.1	26.0	0.0	1.1	31.9	21.0	44.2	36.0
Other property offenses <sup>i</sup>	38	44.7	55.3	0.0	0.0	14.3	10.0	33.0	24.0
Drug offenses	23,476	92.4	5.4	0.6	0.2	75.4	51.0	43.4	36.0
Trafficking	21,698	92.7	5.1	0.6	0.1	74.8	48.0	44.5	36.0
Possession and other	1,778	88.7	9.2	0.6	0.7	83.4	60.0	36.1	36.0
Public-order offenses	17,441	84.2	12.4	0.9	0.5	48.7	30.0	37.9	36.0
Regulatory offenses	1,410	44.5	47.6	0.4	3.2	26.1	15.0	36.1	36.0
Agriculture	56	33.9	64.3	1.8	1.8	19.5	12.0	36.5	25.0
Antitrust	45	20.0	46.7	0.0	31.1	B	B	27.4	24.0
Food and drug	42	23.8	59.5	0.0	14.3	B	B	34.5	36.0
Transportation	73	42.5	53.4	1.4	4.1	20.9	12.0	38.5	36.0
Civil rights	75	77.3	24.0	1.3	0.0	59.2	31.0	38.2	36.0
Communications	26	26.9	65.4	0.0	7.7	B	B	39.5	36.0
Customs laws	102	46.1	45.1	0.0	4.9	18.7	10.0	31.5	36.0
Postal laws	33	9.1	90.9	0.0	0.0	B	B	36.6	36.0
Other regulatory offenses	958	46.2	45.8	0.3	1.5	23.4	15.0	36.6	36.0
Other offenses	16,031	87.7	9.3	1.0	0.3	49.7	30.0	38.6	36.0
Weapons	3,423	93.2	8.0	2.5	0.1	98.7	60.0	38.0	36.0
Immigration offenses	9,357	90.1	4.7	0.3	0.2	30.7	27.0	39.2	36.0
Tax law violations including tax fraud	653	52.7	48.2	2.5	0.5	21.0	12.0	37.1	36.0
Bribery	165	53.9	46.7	2.4	1.2	18.8	15.0	38.2	36.0
Perjury, contempt, intimidation	274	65.0	30.7	0.7	2.6	43.7	21.0	32.1	36.0
National defense	44	54.5	34.1	0.0	9.1	71.0	29.0	34.4	36.0
Escape	496	90.9	7.9	0.8	0.0	22.6	15.0	33.1	36.0
Racketeering and extortion	1,127	84.3	13.8	0.4	0.3	87.9	57.0	42.0	36.0
Gambling offenses	24	45.8	54.2	0.0	0.0	39.9	34.0	36.9	36.0
Nonviolent sex offenses	399	88.0	15.0	3.3	0.0	41.6	30.0	45.3	36.0
Mail or transport of obscene material	10	B	B	B	B	B	B	B	B
Traffic	22	86.4	9.1	0.0	4.5	12.7	12.0	B	B
Migratory birds	2	B	B	B	B	B	B	X	X
Other felonies <sup>j</sup>	35	37.1	60.0	2.9	2.9	17.1	13.0	49.9	60.0
Misdemeanors <sup>k</sup>	10,118	15.4	49.2	0.9	28.4	10.7	4.0	23.3	18.0

Note: See Notes, tables 5.12 and 5.16. Total includes offenders whose offense category or sentence could not be determined. For methodology and definitions of terms, see Appendix 10.

<sup>a</sup>Includes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but also included in the totals, are offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

<sup>b</sup>All sentences to incarceration, including split, mixed, life, and indeterminate sentences.

<sup>c</sup>Includes offenders with split and mixed sentences.

<sup>d</sup>Sentences to probation combined with incarceration.

<sup>e</sup>Excludes life, death, and indeterminate sentences. These excluded cases represent 1% of all incarcerations.

<sup>f</sup>Includes only violent sex offenses.

<sup>g</sup>Excludes tax fraud.

<sup>h</sup>Excludes transportation of stolen property.

<sup>i</sup>Excludes fraudulent property offenses; includes destruction of property and trespass.

<sup>j</sup>Includes felonies with unclassifiable offense type.

<sup>k</sup>Includes misdemeanors, petty offenses, and unknown offense level.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), pp. 67, 68. Table adapted by SOURCEBOOK staff.

Table 5.19

**Federal offenders sentenced to incarceration in U.S. District Courts**

By offense and characteristics, United States, fiscal year 1999

Offender characteristics	Total number of convicted offenders	Percent of convicted offenders sentenced to incarceration for:							
		All offenses	Violent offenses	Felonies		Drug offenses	Public-order offenses		Mis-demeanors
				Fraudulent	Other		Regulatory	Other	
All offenders <sup>a</sup>	66,055	72.2%	91.7%	59.5%	56.0%	92.4%	44.5%	87.7%	15.4%
<u>Sex</u>									
Male	48,092	81.4	93.8	64.2	64.1	94.2	51.9	89.7	22.7
Female	8,844	56.6	80.2	48.7	34.6	82.9	37.3	64.6	12.7
<u>Race</u>									
White	37,566	78.2	91.6	60.9	59.0	91.7	47.8	88.3	21.6
Black	15,423	79.9	95.5	59.2	51.5	95.0	51.2	91.3	19.2
Native American	959	71.9	90.6	50.0	56.8	72.0	36.4	71.8	24.7
Asian/Pacific Islander	1,544	53.7	84.6	55.0	50.0	93.1	50.0	69.8	6.0
Other	223	72.6	100.0	73.5	71.4	82.8	50.0	79.2	17.4
<u>Ethnicity</u>									
Hispanic	21,892	86.6	87.8	63.3	63.2	94.4	50.9	91.8	34.5
Non-Hispanic	34,642	72.2	93.1	59.5	55.9	91.3	46.7	83.1	14.9
<u>Age</u>									
16 to 18 years	459	65.1	92.1	69.2	22.2	84.4	54.5	80.2	10.1
19 to 20 years	2,695	74.9	89.4	52.0	56.2	89.9	60.9	87.3	14.1
21 to 30 years	21,531	82.0	93.2	59.2	49.7	93.5	52.7	91.6	18.2
31 to 40 years	16,556	80.5	94.1	62.2	62.7	93.0	48.7	89.6	22.6
Over 40 years	13,548	71.6	92.3	59.4	57.3	91.1	42.6	80.3	18.8
<u>Citizenship</u>									
U.S. citizen	36,975	74.0	92.9	58.9	55.2	91.4	46.3	82.8	16.1
Not U.S. citizen	19,267	85.4	86.7	65.8	73.1	95.2	51.8	92.1	29.8
<u>Education</u>									
Less than high school graduate	23,442	86.7	93.4	63.8	62.0	94.5	55.4	91.8	28.1
High school graduate	15,746	75.8	92.8	58.3	56.2	92.4	48.7	85.3	14.7
Some college	9,632	68.8	92.7	58.8	49.4	88.5	40.5	79.2	13.4
College graduate	3,507	61.6	82.4	59.9	59.6	82.9	40.8	72.9	16.5
<u>Criminal record</u>									
No convictions	25,794	65.3	83.0	50.3	41.7	89.4	41.2	73.6	14.2
Prior adult conviction <sup>b</sup>	31,186	87.6	96.8	72.9	70.7	95.3	65.1	94.6	31.7

Note: See Notes, tables 5.12 and 5.17. Data exclude corporations. Offenders are classified by the most serious offense of conviction. Life sentences and indeterminate sentences are included. These percentages reflect the percent of convicted persons having a particular characteristic who were incarcerated. For example, 93.8% of males convicted of a violent offense were incarcerated. For methodology and definitions of terms, see Appendix 10.

<sup>a</sup>Includes offenders for whom offense or characteristics were unknown.

<sup>b</sup>For some offenders, prior adult convictions are limited to those used in calculating sentences under the Federal sentencing guidelines (see Source, p. 73).

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), p. 70.

Table 5.20

**Mean and median length of sentences imposed on Federal offenders sentenced to incarceration in U.S. District Courts**

By offense and characteristics, United States, fiscal year 1999

(In months)

Offender characteristics	Mean and median sentence length for offenders convicted of:													
	Felonies													
	All offenses <sup>a</sup>		Violent offenses		Property offenses				Drug offenses		Public-order offenses			
					Fraudulent		Other				Regulatory		Other	
Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	
All offenders <sup>b</sup>	57.8	33.0	87.7	60.0	22.3	14.0	33.1	18.0	75.4	51.0	26.1	15.0	49.7	30.0
<u>Sex</u>														
Male	60.5	37.0	89.8	60.0	23.3	15.0	34.3	18.0	78.4	57.0	27.3	16.0	50.2	30.0
Female	35.9	21.0	50.2	37.0	16.8	12.0	17.6	12.0	48.4	33.0	18.8	12.0	33.6	16.0
<u>Race</u>														
White	45.9	30.0	82.8	57.0	22.8	15.0	33.1	18.0	57.5	37.0	24.7	13.5	40.0	30.0
Black	86.8	60.0	101.4	70.0	20.1	13.0	28.6	15.0	106.9	78.0	31.0	24.0	90.1	57.0
Native American	55.8	30.0	66.3	41.0	21.3	12.0	26.7	22.5	57.2	24.0	23.5	21.0	51.8	24.0
Asian/Pacific Islander	53.5	30.0	87.8	55.5	21.3	12.0	36.8	16.5	79.7	60.0	11.8	7.0	61.2	33.0
Other	48.3	27.0	37.1	41.0	25.5	11.0	29.6	14.0	83.4	63.0	21.5	21.5	38.9	24.0
<u>Ethnicity</u>														
Hispanic	45.3	30.0	99.0	52.0	19.5	12.0	38.8	25.0	58.8	37.0	18.4	12.5	35.3	30.0
Non-Hispanic	67.2	37.0	85.1	60.0	22.2	14.5	30.8	16.5	86.9	60.0	29.9	18.0	72.8	40.0
<u>Age</u>														
16 to 18 years	34.3	18.0	84.9	37.0	19.8	12.0	44.5	44.5	28.7	18.0	14.0	13.5	29.2	12.0
19 to 20 years	49.1	28.0	95.2	51.0	15.6	10.0	24.1	12.0	51.5	30.0	23.6	13.0	44.0	24.0
21 to 30 years	59.9	37.0	79.7	52.0	17.2	12.0	28.2	15.0	73.5	48.0	27.5	16.0	51.5	30.0
31 to 40 years	60.7	37.0	94.0	70.0	22.5	15.0	31.7	18.0	79.4	57.0	21.3	14.0	51.4	30.0
Over 40 years	55.7	30.0	86.0	60.5	25.3	15.0	35.5	24.0	77.6	54.0	28.8	15.0	49.3	30.0
<u>Citizenship</u>														
U.S. citizen	67.2	37.0	85.2	60.0	22.3	14.0	31.2	16.0	83.2	60.0	30.5	20.0	71.8	37.0
Not U.S. citizen	42.3	30.0	103.5	54.5	19.9	12.0	36.7	26.5	56.7	37.0	15.7	12.0	35.2	30.0
<u>Education</u>														
Less than high school graduate	58.5	37.0	90.0	60.0	20.2	13.0	31.4	18.0	71.0	46.0	23.4	17.0	47.4	30.0
High school graduate	67.8	41.0	90.1	63.0	21.3	13.0	30.1	15.0	81.2	59.0	29.3	18.0	70.4	41.0
Some college	55.3	30.0	73.8	52.0	22.5	13.0	31.3	18.0	75.1	48.0	21.5	12.0	57.5	30.0
College graduate	38.7	21.0	60.7	46.0	24.7	15.0	38.6	24.0	67.7	46.0	30.5	12.0	36.4	21.0
<u>Criminal record</u>														
No convictions	41.3	24.0	65.6	41.0	19.8	12.0	31.0	15.0	51.1	37.0	23.7	12.0	35.8	18.0
Prior adult conviction <sup>c</sup>	67.9	41.0	95.0	66.0	23.7	16.0	31.9	18.0	93.3	63.0	28.8	24.0	54.0	34.0

Note: See Notes, tables 5.12 and 5.17. Data exclude corporations, and offenders sentenced to life sentences and indeterminate sentences; and include prison portion of split or mixed sentences. For methodology and definitions of terms, see Appendix 10.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179 (Washington, DC: U.S. Department of Justice, 2001), pp. 71, 72. Table adapted by SOURCEBOOK staff.

<sup>a</sup>Includes misdemeanors.

<sup>b</sup>Includes offenders for whom offense category or characteristics were unknown.

<sup>c</sup>For some offenders, prior adult convictions are limited to those used in calculating sentences under the Federal sentencing guidelines (see Source, p. 73).



Table 5.21

**Defendants disposed of in U.S. District Courts**

By type of disposition, 1945-2000

	Not convicted					Convicted and sentenced			
	Total defendants	Total	Dismissed <sup>a</sup>	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
				Court	Jury			Court	Jury
1945	43,755	7,641	6,462	331	848	36,114	30,817	3,082	2,215
1946	38,872	6,693	5,599	259	835	32,179	27,385	3,250	1,544
1947	38,180	5,592	4,512	279	801	32,588	29,138	2,336	1,114
1948	35,431	4,911	3,990	225	696	30,520	27,833	1,672	1,015
1949	37,318	4,245	3,332	297	616	33,073	30,447	1,628	998
1950	38,835	4,210	3,268	276	666	34,625	31,739	1,731	1,155
1951	42,286	4,096	3,204	309	583	38,190	35,271	1,795	1,124
1952	39,947	3,904	2,947	296	661	36,043	32,734	2,002	1,307
1953	39,234	4,349	3,220	409	720	34,885	31,336	2,207	1,342
1954	44,447	4,903	3,617	501	785	39,544	35,560	2,308	1,678
1955	40,235	5,184	3,832	450	902	35,501	31,148	2,077	1,826
1956	33,216	4,320	3,125	425	770	28,896	25,029	2,227	1,640
1957	31,284	3,544	2,426	348	770	27,740	23,867	2,343	1,530
1958	32,055	3,717	2,606	378	733	28,338	24,256	2,475	1,607
1959	32,125	3,736	2,667	321	748	28,389	24,793	2,089	1,507
1960	31,984	3,828	2,629	340	859	28,156	24,245	2,179	1,732
1961	32,671	4,046	2,887	291	868	28,625	24,830	2,124	1,671
1962	33,110	4,599	3,374	390	835	28,511	24,639	1,997	1,875
1963	34,845	5,042	3,735	544	763	29,803	25,924	2,005	1,874
1964	33,381	4,211	2,936	559	716	29,170	26,273	942	1,955
1965	33,718	4,961	3,789	463	709	28,757	25,923	961	1,873
1966	31,975	4,661	3,570	397	694	27,314	24,127	1,066	2,121
1967	31,535	5,191	4,196	409	586	26,344	23,121	1,040	2,173
1968	31,843	6,169	4,981	484	704	25,674	22,055	1,184	2,435
1969	32,796	5,993	4,867	483	643	26,803	23,138	1,152	2,513
1970	36,356	8,178	6,608	703	867	28,178	24,111	1,290	2,777
1971	44,615	12,512	10,655	687	1,170	32,103	27,544	1,416	3,143
1972	49,516	12,296	10,219	690	1,387	37,220	31,714	1,847	3,659
1973	46,724	11,741	9,757	661	1,323	34,983	29,009	1,873	4,101
1974	48,014	11,784	10,019	508	1,257	36,230	30,660	1,785	3,785
1975	49,212	11,779	10,274	397	1,108	37,433	31,816	1,580	4,037
1976	51,612	11,500	9,752	508	1,240	40,112	34,041	1,587	4,484
1977	53,188	11,732	9,952	598	1,382	41,456	35,323	1,629	4,504
1978	45,922	9,417	7,792	311	1,314	36,505	31,112	1,431	3,962
1979	41,175	8,262	6,791	303	1,168	32,913	27,295	2,006	3,612
1980	36,560	7,962	6,633	283	1,046	28,598	23,111	1,851	3,636
1981	38,127	8,259	6,981	266	1,012	29,868	24,322	1,867	3,679
1982	40,466	8,214	7,051	255	938	32,252	27,392	1,205	3,655
1983	43,329	7,738	6,566	281	891	35,591	30,523	1,286	3,782
1984	44,501	8,397	7,022	327	1,048	36,104	31,461	969	3,674
1985	47,360	8,830	7,484	415	931	38,530	33,823	994	3,713
1986	50,040	9,300	7,894	461	945	40,740	35,448	1,139	4,153
1987	54,168	10,226	8,802	446	978	43,942	38,440	1,371	4,131
1988	52,791	9,889	8,379	453	1,057	42,902	37,514	1,267	4,121
1989	54,643	10,119	8,420	638	1,061	44,524	38,681	1,225	4,618
1990	56,519	9,794	8,193	630	971	46,725	40,452	1,063	5,210
1991	56,747	9,979	8,372	603	1,004	46,768	41,213	699	4,856
1992	59,644	9,384	7,769	560	1,055	50,260	44,632	576	5,052
1993	61,309	9,586	8,284	396	906	51,723	46,541	500	4,682
1994	59,625	9,908	8,669	545	693	49,717	45,429	491	3,797
1995	54,980	8,207	7,112	482	613	46,773	43,103	467	3,203
1996	60,255	7,985	7,083	340	562	52,270	48,196	461	3,613
1997	63,148	7,500	6,607	400	493	55,648	51,918	499	3,231
1998	67,934	8,049	6,968	594	487	59,885	56,256	601	3,028
1999	73,481	8,666	7,649	553	464	64,815	61,626	487	2,702
2000	75,071	8,035	6,992	603	440	67,036	63,863	632	2,541

Note: See Note, table 5.8. The District of Columbia is excluded from these data through 1973. The territorial courts of the Virgin Islands, Canal Zone, and Guam are excluded through 1976. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Beginning in 1991, defendants charged in two or more cases that were terminated during the year are reported only once.

<sup>a</sup>Includes defendants who were committed pursuant to 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts July 1973-June 1974* (Washington, DC: Administrative Office of the United States Courts, 1977), p. H-1; Administrative Office of the United States Courts, *Annual Report of the Director*, 1979, p. 108; 1981, p. 101, Table 46; 1983, p. 171; 1985, p. 180; 1986, pp. 271-278; 1995, pp. 225-227; 1998, pp. 228-230; 1999, pp. 222-224 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1982, p. 141; 1987, pp. 294-304; 1988, pp. 297-304; 1989, pp. 295-302; 1990, pp. 204-207; 1991, pp. 256, 257, 262, 263; 1992, pp. 269-272, 276-279; 1993, Tables D-5, D-7; 1994, Tables D-5, D-7; 1996, pp. 221-223; 1997, pp. 214-216 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 221, 223. Table adapted by SOURCEBOOK staff.

Table 5.22

**Defendants sentenced in U.S. District Courts**

By type and length of sentence, 1945-2000

	Type of sentence											Average sentence to imprisonment (in months) <sup>f</sup>	Average sentence to probation (in months) <sup>g</sup>
	Imprisonment												
	Total <sup>b</sup>	Regular sentences <sup>a</sup>					Split sentence <sup>c</sup>	Indeterminate <sup>d</sup>	Probation	Fine	Other <sup>e</sup>		
		Total regular	1 through 12 months	13 through 35 months	36 through 60 months	Over 60 months							
1945	17,095	X	10,522	3,634	2,017	922	X	X	14,359	4,660	X	16.5	NA
1946	15,393	X	9,316	3,610	1,809	658	X	X	12,691	4,095	X	18.6	NA
1947	15,146	X	9,033	3,679	1,746	688	X	X	13,318	4,124	X	17.3	NA
1948	13,505	X	8,033	3,329	1,517	626	X	X	14,014	3,001	X	17.6	NA
1949	14,730	X	9,389	3,378	1,392	571	X	X	15,161	3,182	X	15.8	NA
1950	14,998	X	8,910	3,799	1,588	701	X	X	16,603	3,024	X	17.5	NA
1951	15,568	X	9,215	3,758	1,805	790	X	X	19,855	2,767	X	18.1	NA
1952	15,963	X	9,094	3,817	2,072	980	X	X	17,687	2,393	X	19.1	NA
1953	16,355	X	8,969	4,213	2,164	1,009	X	X	15,811	2,719	X	19.4	NA
1954	19,221	X	10,977	4,546	2,487	1,211	X	X	17,517	2,806	X	18.9	NA
1955	17,542	X	8,942	4,584	2,724	1,292	X	X	14,584	2,945	X	21.9	NA
1956	13,576	X	5,681	4,217	2,478	1,200	X	X	12,365	2,955	X	24.9	NA
1957	13,798	X	5,473	4,018	2,635	1,672	X	X	11,434	2,508	X	28.0	NA
1958	14,101	X	5,382	4,029	2,861	1,829	X	X	11,617	2,620	X	28.2	NA
1959	14,350	X	5,024	3,680	3,237	1,849	(c)	X	11,379	2,660	X	29.2	NA
1960	14,170	X	5,024	3,877	3,288	1,981	(c)	X	11,081	2,905	X	29.6	NA
1961	14,462	X	4,057	4,753	3,481	2,171	(c)	X	10,714	2,772	677	31.0	NA
1962	14,042	X	4,088	4,441	3,418	2,095	(c)	X	11,071	2,618	780	32.0	NA
1963	13,639	X	2,949	4,218	3,228	2,076	1,168	X	12,047	2,847	1,270	32.3	NA
1964	13,273	X	2,992	4,085	3,094	1,987	1,115	X	11,634	2,689	1,574	31.9	NA
1965	13,668	X	3,748	3,139	3,262	2,252	1,267	X	10,779	2,477	1,833	33.5	NA
1966	13,282	X	3,549	2,926	3,332	2,092	1,383	X	10,256	2,356	1,420	32.9	NA
1967	13,085	X	3,236	2,837	3,411	2,381	1,220	X	9,435	2,293	1,531	36.5	NA
1968	12,610	X	2,473	2,413	3,568	2,915	1,241	X	9,820	1,816	1,428	42.2	NA
1969	12,847	X	2,771	2,252	3,500	3,012	1,312	X	9,991	1,682	2,283	42.0	NA
1970	12,415	X	2,753	2,253	3,290	2,775	1,344	X	11,387	1,935	2,441	41.1	NA
1971	14,378	X	2,820	2,599	3,326	3,482	2,151	X	13,243	1,789	2,693	42.1	NA
1972	16,832	X	4,450	2,645	3,695	3,569	2,473	X	15,395	2,232	2,761	38.1	NA
1973	17,540	X	3,384	2,912	4,141	4,220	2,883	X	15,026	1,866	551	15.4	NA
1974	17,180	X	3,333	2,880	4,107	3,960	2,900	X	16,623	2,078	349	42.2	NA
1975	17,301	X	3,337	2,825	4,437	4,387	2,315	X	17,913	1,876	343	45.5	NA
1976	18,477	X	3,530	3,096	4,731	4,862	2,258	X	18,208	3,199	228	47.2	NA
1977	19,552	13,772	4,016	2,938	2,953	3,865	3,217	1,604	16,135	5,409	360	34.7	32.8
1978	17,426	12,234	3,284	2,804	2,792	3,354	3,263	1,132	14,525	4,279	285	48.6	32.4
1979	14,580	9,818	2,320	2,344	2,389	2,765	3,234	887	13,459	4,368	506	49.0	32.3
1980	13,191	8,484	2,016	1,936	1,945	2,587	3,012	1,123	11,053	3,916	438	51.9	33.1
1981	13,700	8,906	2,192	1,904	1,906	2,906	3,069	1,232	12,173	3,507	488	55.3	31.7
1982	15,857	10,673	2,202	2,313	2,422	3,736	3,538	1,163	12,723	3,395	277	58.6	32.2
1983	17,886	11,979	2,503	2,671	2,543	4,262	3,973	1,496	14,097	3,220	388	57.2	33.5
1984	17,710	11,828	2,282	2,666	2,628	4,252	4,063	1,482	13,880	3,977	537	58.0	35.0
1985	18,679	12,910	2,285	2,886	2,995	4,744	4,084	1,494	14,404	4,830	617	60.2	35.2
1986	20,261	15,004	2,393	3,251	3,529	5,831	4,397	1,200	15,230	4,232	657	64.6	35.5
1987	23,344	17,556	2,661	3,850	3,942	7,103	4,524	1,257	16,023	4,368	207	65.4	35.2
1988	22,473	17,605	3,070	3,721	3,291	7,523	4,014	848	16,057	4,087	285	66.1	34.0
1989	24,867	21,485	5,057	5,301	3,463	7,664	2,676	706	14,997	4,193	467	58.6	32.9
1990	27,796	25,768	6,701	6,466	3,305	9,296	1,716	312	14,196	4,176	557	59.2	32.7
1991	29,189	28,809	7,896	6,667	5,123	9,123	NA	NA	13,754	3,772	53	69.6	42.7
1992	32,866	31,895	8,281	8,073	5,650	9,891	NA	NA	13,299	3,985	109	65.6	32.3
1993	35,001	33,664	8,493	8,241	6,790	10,140	NA	NA	12,775	3,870	77	63.9	32.1
1994	33,554	32,075	7,856	8,116	6,535	9,568	NA	NA	12,409	3,650	52	64.1	32.3
1995	32,439	31,112	7,806	8,226	5,807	9,273	NA	NA	11,288	2,875	171	66.4	32.5
1996	37,579	35,556	8,597	9,606	6,811	10,542	NA	NA	11,526	2,929	229	61.4	32.3
1997	41,105	38,419	9,086	11,054	7,547	10,732	NA	NA	11,656	2,672	215	58.8	32.7
1998	45,166	42,085	9,750	12,004	8,359	11,972	NA	NA	11,708	2,732	279	58.8	32.7
1999	50,076	46,653	10,667	13,092	9,842	13,052	NA	NA	11,986	2,495	258	57.7	33.1
2000	53,047	49,536	11,306	13,860	10,686	13,684	NA	NA	11,517	2,241	231	56.6	33.0

See notes on next page.

Table 5.22

**Defendants sentenced in U.S. District Courts**

By type and length of sentence, 1945-2000--Continued

Note: See Notes, tables 5.8 and 5.21. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

Prior to 1977, the periods reported for lengths of sentences to imprisonment were 1 year and 1 day and under, over 1 year and 1 day to 3 years, 3 to 5 years, and 5 years and over. Beginning in 1977, the periods reported for lengths of sentences to imprisonment are 1 through 12 months, 13 through 35 months, 36 through 59 months, and 60 months and over. Beginning in 1991, two of the periods reported for lengths of sentences to imprisonment changed. The period 36 through 59 months changed to 36 through 60 months, and the period 60 months and over changed to over 60 months.

Some data have been revised and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes sentences of more than 6 months that are to be followed by a term of probation (mixed sentences). Beginning in 1991, includes sentences of at least 1 month that may be followed by a term of probation.

<sup>b</sup>Prior to 1989, total includes Youth Corrections Act and youthful offender sentences not separately enumerated. From 1979-85, total includes Federal Juvenile Delinquency Act sentences not separately enumerated. Beginning in 1991, total includes life sentences, death sentences, and cases with either no sentence, a suspended sentence, a sealed sentence, deportation, or imprisonment of 4 days or less.

<sup>c</sup>A "split sentence" is a sentence on a one-count indictment of 6 months or less in a jail-type institution followed by a term of probation, 18 U.S.C. 3651 approved Aug. 23, 1958 (72 Stat. 834). Included are mixed sentences involving confinement for 6 months or less on one count to be followed by a term of probation on one or more counts. For 1959-62, split sentences are included in prison terms of 1 year and 1 day and under.

<sup>d</sup>18 U.S.C. 4205B(1) and (2).

<sup>e</sup>From 1945-60, "other" was included with sentences of probation. From 1986-90, "other" included deportation, suspended sentences, imprisonment for 4 days or less, time already served, remitted and suspended fines, and life sentences. Beginning in 1991, "other" includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

<sup>f</sup>From 1977-90, split sentences, Youth Corrections Act and youthful offender sentences, and life sentences were not included in computing average sentence. Beginning in 1991, deportation, suspended sentence, sealed sentences, imprisonment of 4 days or less, no sentences, life sentences, and death sentences were not included in computing average sentence.

<sup>g</sup>From 1986-90, split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences were not included in computing average sentences. Beginning in 1991, supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence were not included in computing the average sentence.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts July 1973-June 1974* (Washington, DC: Administrative Office of the United States Courts, 1977), p. H-1; Administrative Office of the United States Courts, *Annual Report of the Director, 1979*, p. 108; *1981*, p. 101, Table 46; *1983*, p. 171; *1985*, p. 180; *1986*, pp. 271-278; *1995*, pp. 228-231; *1998*, pp. 231-234; *1999*, pp. 225-228 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director, 1982*, p. 141; *1987*, pp. 294-304; *1988*, pp. 297-304; *1989*, pp. 295-302; *1990*, pp. 204-207; *1991*, pp. 256, 257, 262, 263; *1992*, pp. 269-272, 276-279; *1993*, Tables D-5, D-7; *1994*, Tables D-5, D-7; *1996*, pp. 224-227; *1997*, pp. 217-220 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 224-227. Table adapted by SOURCEBOOK staff.

Table 5.23

**Defendants disposed of in U.S. District Courts**

By offense and type of disposition, fiscal year 2000

Offense	Total defendants	Not convicted				Convicted and sentenced				
		Total	Dismissed <sup>a</sup>	Acquitted by		Total	Plea of guilty	Plea of nolo contendere	Convicted by	
				Court	Jury				Court	Jury
Total	75,071	8,035	6,992	603	440	67,036	63,503	360	632	2,541
GENERAL OFFENSES										
Homicide	313	57	43	2	12	256	216	0	1	39
Murder-first degree	247	44	36	1	7	203	167	0	1	35
Murder-second degree	20	8	2	1	5	12	11	0	0	1
Manslaughter	46	5	5	0	0	41	38	0	0	3
Robbery	1,530	58	50	1	7	1,472	1,395	2	5	70
Bank	1,471	50	43	1	6	1,421	1,349	2	3	67
Postal	39	2	1	0	1	37	33	0	1	3
Other	20	6	6	0	0	14	13	0	1	0
Assault	674	216	199	5	12	458	422	0	7	29
Burglary	64	8	6	1	1	56	54	0	0	2
Bank	0	X	X	X	X	X	X	X	X	X
Postal	23	2	1	0	1	21	20	0	0	1
Interstate shipments	1	1	1	0	0	0	X	X	X	X
Other	40	5	4	1	0	35	34	0	0	1
Larceny and theft	3,566	726	702	14	10	2,840	2,674	60	39	67
Bank	309	12	12	0	0	297	293	1	2	1
Postal	508	34	31	2	1	474	466	0	0	8
Interstate shipments	246	23	21	0	2	223	203	0	1	19
Other U.S. property	1,748	430	415	12	3	1,318	1,219	55	30	14
Transport stolen property	321	59	57	0	2	262	239	0	2	21
Other	434	168	166	0	2	266	254	4	4	4
Embezzlement	1,236	112	104	1	7	1,124	1,096	2	0	26
Bank	692	62	61	0	1	630	623	1	0	6
Postal	241	26	23	0	3	215	212	0	0	3
Other	303	24	20	1	3	279	261	1	0	17
Fraud	10,165	749	685	16	48	9,416	9,000	8	14	394
Income tax	720	28	27	0	1	692	639	1	0	52
Lending institution	1,683	116	105	5	6	1,567	1,517	1	1	48
Postal	1,517	154	141	1	12	1,363	1,275	1	5	82
Veterans and allotments	6	1	1	0	0	5	5	0	0	0
Securities and Exchange	104	8	8	0	0	96	81	0	0	15
Social Security	430	45	43	0	2	385	371	0	1	13
False personation	31	3	3	0	0	28	26	0	0	2
Nationality laws	310	17	16	1	0	293	291	0	0	2
Passport fraud	300	21	21	0	0	279	274	1	0	4
False claims and statements	1,312	123	108	2	13	1,189	1,138	1	3	47
Other	3,752	233	212	7	14	3,519	3,383	3	4	129
Auto theft	260	26	21	1	4	234	201	0	0	33
Forgery and counterfeiting	1,421	137	133	1	3	1,284	1,234	1	2	47
Transport forged securities	1	1	1	0	0	0	X	X	X	X
Postal forgery	0	X	X	X	X	X	X	X	X	X
Other forgery	118	15	15	0	0	103	103	0	0	0
Counterfeiting	1,302	121	117	1	3	1,181	1,131	1	2	47
Sex offenses	886	81	74	1	6	805	750	4	4	47
Sexual abuse	376	47	41	0	6	329	296	2	3	28
Other	510	34	33	1	0	476	454	2	1	19
Drug laws	27,220	2,434	2,210	41	183	24,786	23,608	22	50	1,106
Miscellaneous general offenses	11,913	2,508	1,922	497	89	9,405	8,392	239	311	463
Bribery	203	19	14	1	4	184	172	0	0	12
Drunk driving and traffic	4,334	1,466	1,017	448	1	2,868	2,388	209	271	0
Escape	600	112	110	0	2	488	476	0	0	12
Extortion, racketeering, threats	1,111	114	86	13	15	997	896	0	1	100
Gambling and lottery	32	3	2	0	1	29	28	0	0	1
Kidnaping	140	24	22	1	1	116	95	0	0	21
Perjury	99	14	11	2	1	85	77	0	0	8
Weapons and firearms	4,606	574	485	26	63	4,032	3,702	3	21	306
Other	788	182	175	6	1	606	558	27	18	3

See notes at end of table.

Table 5.23

**Defendants disposed of in U.S. District Courts**

By offense and type of disposition, fiscal year 2000--Continued

Offense	Total defendants	Not convicted				Convicted and sentenced				
		Total	Dismissed <sup>a</sup>	Acquitted by		Total	Plea of guilty	Plea of nolo contendere	Convicted by	
				Court	Jury				Court	Jury
SPECIAL OFFENSES										
Immigration laws	12,590	430	405	6	19	12,160	12,031	6	28	95
Liquor, Internal Revenue	9	0	X	X	X	9	8	0	0	1
Federal statutes	3,224	493	438	16	39	2,731	2,422	16	171	122
Agricultural/conservation acts	310	66	62	3	1	244	221	0	16	7
Antitrust violations	57	4	4	0	0	53	53	0	0	0
Food and Drug Act	88	7	6	0	1	81	75	1	0	5
Migratory bird laws	51	4	4	0	0	47	38	7	2	0
Motor Carrier Act	14	1	1	0	0	13	13	0	0	0
National defense laws	1	1	1	0	0	0	X	X	X	X
Civil rights	119	40	27	0	13	79	70	1	1	7
Contempt	88	14	12	2	0	74	62	3	7	2
Customs laws	164	16	15	0	1	148	144	0	0	4
Postal laws	142	12	11	1	0	130	128	0	0	3
Other	2,190	328	295	10	23	1,862	1,618	4	145	95

Note: Defendants charged in two or more cases that were terminated during the year are reported only once. Data include defendants in all felony and class A misdemeanor cases, but include only those petty offense defendants whose cases were assigned to district court judges. Data exclude 701 transfers and 1,413 terminations for defendants charged in more than one case during the year.

Source: Administrative Office of the United States Courts, *Judicial Business in the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 221-223.

<sup>a</sup>Includes defendants who were committed pursuant to 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act.

Table 5.24

**Defendants sentenced in U.S. District Courts**

By offense, and type and length of sentence, fiscal year 2000

Offense	Sentences to imprisonment								Type of sentence		
	Total defendants sentenced	Total imprisonment	Regular sentences <sup>a</sup>						Life	Death	Other <sup>c</sup>
			6 months or less	7 through 12 months	13 through 35 months	36 through 60 months	Over 60 months	Average sentence in months <sup>b</sup>			
Total	67,036	53,047	6,103	5,203	13,860	10,686	13,684	56.6	233	1	3,277
<b>GENERAL OFFENSES</b>											
Homicide	256	234	12	15	63	46	80	89.5	14	1	3
Murder-first degree	203	184	8	8	37	36	78	107.7	14	1	2
Murder-second degree	12	12	1	2	1	6	2	47.6	0	0	0
Manslaughter	41	38	3	5	25	4	0	21.2	0	0	1
Robbery	1,472	1,434	11	17	162	410	818	93.9	9	0	7
Bank	1,421	1,387	11	17	154	397	794	93.9	8	0	6
Postal	37	36	0	0	5	9	20	104.3	1	0	1
Other	14	11	0	0	3	4	4	66.0	0	0	0
Assault	458	267	65	35	77	41	19	27.5	1	0	29
Burglary	56	48	2	3	29	9	4	33.1	0	0	1
Bank	0	X	X	X	X	X	X	X	X	X	X
Postal	21	20	1	1	13	3	1	30.2	0	0	1
Interstate shipments	0	X	X	X	X	X	X	X	X	X	X
Other	35	28	1	2	16	6	3	35.1	0	0	0
Larceny and theft	2,840	1,148	306	228	334	114	68	25.8	0	0	98
Bank	297	95	29	22	27	6	7	22.3	0	0	4
Postal	474	293	73	66	96	15	8	20.1	0	0	35
Interstate shipments	223	179	15	17	65	45	32	52.1	0	0	5
Other U.S. property	1,318	317	131	72	51	15	5	13.3	0	0	43
Transport stolen property	262	200	34	32	84	26	16	33.1	0	0	8
Other	266	64	24	19	11	7	0	13.1	0	0	3
Embezzlement	1,124	630	258	109	110	30	13	14.7	0	0	110
Bank	630	413	181	58	50	15	4	9.9	0	0	105
Postal	215	58	31	16	7	2	1	10.0	0	0	1
Other	279	159	46	35	53	13	8	26.0	0	0	4
Fraud	9,416	6,004	1,505	1,098	1,975	632	237	22.5	0	0	557
Income tax	692	371	102	94	134	26	6	16.9	0	0	9
Lending institution	1,567	1,328	370	218	379	124	50	19.5	0	0	187
Postal	1,363	850	153	135	350	132	51	28.6	0	0	29
Veterans and allotments	5	1	0	0	0	1	0	46.0	0	0	0
Securities and Exchange	96	71	10	9	27	10	14	39.5	0	0	1
Social Security	385	187	67	35	50	12	3	15.0	0	0	20
False personation	28	13	3	3	5	1	0	15.1	0	0	1
Nationality laws	293	277	94	57	87	17	3	13.1	0	0	19
Passport fraud	279	193	62	27	8	9	1	11.1	0	0	86
False claims and statements	1,189	611	222	75	170	39	9	15.6	0	0	96
Other	3,519	2,102	422	445	765	261	100	26.3	0	0	109
Motor vehicle theft	234	203	10	18	62	20	81	93.2	6	0	6
Forgery and counterfeiting	1,284	775	139	186	314	66	25	20.2	0	0	45
Transport forged securities	0	X	X	X	X	X	X	X	X	X	X
Postal forgery	0	X	X	X	X	X	X	X	X	X	X
Other forgery	103	49	9	16	12	2	2	17.9	0	0	8
Counterfeiting	1,181	726	130	170	302	64	23	20.3	0	0	37
Sex offenses	805	722	25	59	309	131	187	60.4	4	0	7
Sexual abuse	329	289	8	29	83	33	129	82.1	4	0	3
Other	376	433	17	30	226	98	58	46.1	0	0	4
Drug laws	24,786	23,120	847	1,676	5,095	5,452	9,137	75.7	148	0	765
Miscellaneous general offenses	9,405	5,644	439	414	1,402	1,215	1,850	74.9	48	0	276
Bribery	184	93	23	17	35	6	6	22.0	0	0	6
Drunk driving and traffic	2,868	278	110	22	20	6	5	10.1	0	0	115
Escape	488	453	103	118	168	33	10	18.5	0	0	21
Extortion, racketeering, threats	997	858	40	49	180	217	320	86.2	17	0	35
Gambling and lottery	29	3	0	1	1	1	0	29.3	0	0	0
Kidnaping	116	109	5	1	22	20	44	92.6	9	0	8
Perjury	85	49	15	8	14	9	2	29.8	0	0	1
Weapons and firearms	4,032	3,703	114	186	944	915	1,456	84.2	22	0	66
Other	606	98	29	12	18	8	7	39.9	0	0	24

See notes at end of table.

Probation							
Total	6 months or less	7 through 12 months	13 through 35 months	36 months and over	Average sentence in months <sup>d</sup>	Other <sup>e</sup>	Fine only
11,748	661	2,376	1,980	6,500	33.0	231	2,241
22	0	2	3	15	35.4	2	0
19	0	2	3	13	34.1	1	0
0	X	X	X	X	X	X	X
3	0	0	0	2	43.3	1	0
38	0	1	5	28	38.8	4	0
34	0	1	5	24	37.8	4	0
1	0	0	0	1	60.0	0	0
3	0	0	0	3	44.0	0	0
173	15	54	46	55	24.2	3	18
8	0	0	1	7	39.3	0	0
X	X	X	X	X	X	X	X
1	0	0	0	1	36.0	0	0
X	X	X	X	X	X	X	X
7	0	0	1	6	39.7	0	0
1,485	131	338	259	746	31.9	11	207
200	5	14	34	145	39.7	2	2
181	0	8	27	143	41.2	3	0
44	0	0	9	35	47.5	0	0
860	115	283	144	312	26.2	6	141
62	0	2	9	51	51.2	0	0
138	11	31	36	60	30.0	0	64
492	6	54	122	284	34.0	26	2
217	3	28	49	112	30.9	25	0
156	2	19	50	85	33.9	0	1
119	1	7	23	87	39.7	1	1
3,347	94	329	533	2,330	38.2	61	65
313	6	44	64	197	35.1	2	8
236	5	8	18	185	43.0	20	3
509	7	43	61	394	43.1	4	4
4	0	0	1	3	51.0	0	0
24	0	1	4	18	48.0	1	1
196	4	9	21	157	43.8	5	2
13	0	0	2	11	37.8	0	2
16	0	3	3	9	32.3	1	0
84	16	7	19	38	28.2	4	2
558	18	80	100	351	32.7	9	20
1,394	38	134	240	967	38.1	15	23
31	0	2	7	22	34.6	0	0
509	10	23	95	375	38.3	6	0
X	X	X	X	X	X	X	X
X	X	X	X	X	X	X	X
54	1	3	12	38	36.5	0	0
455	9	20	83	337	38.5	6	0
83	0	5	10	66	45.8	2	0
40	0	3	7	29	43.1	1	0
43	0	2	3	37	48.3	1	0
1,629	48	288	271	984	35.1	38	37
2,050	219	841	294	681	25.7	15	1,711
88	2	14	20	52	37.8	0	3
1,008	171	633	114	87	15.4	3	1,582
32	2	6	12	11	28.3	1	3
139	7	9	27	92	38.7	4	0
26	0	7	12	7	24.2	0	0
7	0	0	0	7	81.0	0	0
35	0	3	7	25	37.7	0	1
322	13	26	70	208	35.8	5	7
393	24	143	32	192	34.3	2	115

Table 5.24

**Defendants sentenced in U.S. District Courts**

By offense, and type and length of sentence, fiscal year 2000--Continued

									Type of sentence		
Offense	Total defendants sentenced	Sentences to imprisonment							Life	Death	Other <sup>c</sup>
		Total imprisonment	Regular sentences <sup>a</sup>					Average sentence in months <sup>b</sup>			
			6 months or less	7 through 12 months	13 through 35 months	36 through 60 months	Over 60 months				
SPECIAL OFFENSES											
Immigration laws	12,160	11,599	2,225	1,162	3,583	2,387	1,062	28.9	0	0	1,180
Liquor, Internal Revenue	9	2	0	0	1	0	0	30.0	0	0	1
Federal statutes	2,731	1,217	259	183	344	133	103	31.7	3	0	192
Agricultural/conservation acts	244	51	28	8	9	1	0	8.3	0	0	5
Antitrust violations	53	17	6	4	1	2	0	13.7	0	0	4
Food and Drug Act	81	19	6	3	3	4	0	18.9	0	0	3
Migratory bird laws	47	1	1	0	0	0	0	1.0	0	0	0
Motor Carrier Act	13	3	1	0	0	1	0	25.5	0	0	1
National defense laws	0	X	X	X	X	X	X	X	X	X	X
Civil rights	79	52	4	5	22	5	16	91.2	0	0	0
Contempt	74	39	12	12	4	6	1	19.4	0	0	4
Customs laws	148	87	24	16	29	11	1	18.2	0	0	6
Postal laws	130	22	7	3	0	1	3	40.4	0	0	8
Other	1,862	926	170	132	276	102	82	31.5	3	0	161

Note: See Note, table 5.23.

<sup>a</sup>Includes sentences of at least 1 month that may be followed by a term of probation (mixed sentences).<sup>b</sup>Excludes life sentences, death sentences, deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.<sup>c</sup>Includes deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.<sup>d</sup>Excludes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.<sup>e</sup>Includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.Source: Administrative Office of the United States Courts, **Judicial Business of the United States Courts: 2000 Annual Report of the Director** (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 224-227.



Total	Probation				Average sentence in months <sup>d</sup>	Other <sup>e</sup>	Fine only
	6 months or less	7 through 12 months	13 through 35 months	36 months and over			
555	76	36	62	340	32.9	41	6
5	0	2	0	3	43.2	0	2
1,321	62	401	272	564	27.5	22	193
142	12	42	41	42	25.5	5	51
26	0	13	3	8	24.7	2	10
55	2	11	15	26	27.2	1	7
34	3	20	4	7	19.9	0	12
6	0	2	1	3	30.0	0	4
X	X	X	X	X	X	X	X
24	2	3	7	11	28.0	1	3
29	3	9	5	12	28.5	0	6
57	1	22	9	24	25.5	1	4
107	3	27	31	46	27.6	0	1
841	36	252	156	385	28.3	12	95

Table 5.25

**Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense, sex, race, and ethnicity, fiscal year 1999

Primary offense	Sex						Race, ethnicity								
	Total cases	Male		Female		Total cases	White		Black		Hispanic <sup>a</sup>		Other <sup>b</sup>		
		Number	Percent	Number	Percent		Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	55,388	46,841	84.6%	8,547	15.4%	54,394	16,728	30.8%	14,246	26.2%	21,231	39.0%	2,189	4.0%	
Murder	108	95	88.0	13	12.0	103	29	28.2	18	17.5	17	16.5	39	37.9	
Manslaughter	57	38	66.7	19	33.3	57	10	17.5	6	10.5	8	14.0	33	57.9	
Kidnaping, hostage-taking	81	77	95.1	4	4.9	80	19	23.8	19	23.8	22	27.5	20	25.0	
Sexual abuse	230	226	98.3	4	1.7	229	42	18.3	17	7.4	11	4.8	159	69.4	
Assault	455	404	88.8	51	11.2	437	120	27.5	96	22.0	72	16.5	149	34.1	
Robbery	1,790	1,638	91.5	152	8.5	1,771	732	41.3	852	48.1	138	7.8	49	2.8	
Arson	82	79	96.3	3	3.7	82	60	73.2	10	12.2	3	3.7	9	11.0	
<u>Drug offenses</u>															
Trafficking	21,993	18,992	86.4	3,001	13.6	21,780	5,311	24.4	6,743	31.0	9,345	42.9	381	1.7	
Communication facility	397	320	80.6	77	19.4	395	120	30.4	137	34.7	130	32.9	8	2.0	
Simple possession	689	565	82.0	124	18.0	612	275	44.9	171	27.9	146	23.9	20	3.3	
Firearms	2,679	2,570	95.9	109	4.1	2,647	1,064	40.2	1,179	44.5	328	12.4	76	2.9	
Burglary, breaking and entering	54	52	96.3	2	3.7	54	14	25.9	10	18.5	2	3.7	28	51.9	
Auto theft	189	178	94.2	11	5.8	184	87	47.3	56	30.4	37	20.1	4	2.2	
Larceny	2,082	1,322	63.5	760	36.5	1,977	981	49.6	705	35.7	170	8.6	121	6.1	
Fraud	6,196	4,517	72.9	1,679	27.1	6,077	3,127	51.5	1,876	30.9	752	12.4	322	5.3	
Embezzlement	959	386	40.3	573	59.8	939	519	55.3	272	29.0	80	8.5	68	7.2	
Forgery, counterfeiting	1,295	1,008	77.8	287	22.2	1,287	526	40.9	533	41.4	167	13.0	61	4.7	
Bribery	196	177	90.3	19	9.7	194	91	46.9	49	25.3	33	17.0	21	10.8	
Tax	728	596	81.9	132	18.1	712	519	72.9	83	11.7	53	7.4	57	8.0	
Money laundering	1,001	766	76.5	235	23.5	991	442	44.6	166	16.8	321	32.4	62	6.3	
Racketeering, extortion	977	893	91.4	84	8.6	961	344	35.8	291	30.3	200	20.8	126	13.1	
Gambling, lottery	136	124	91.2	12	8.8	136	112	82.4	6	4.4	5	3.7	13	9.6	
Civil rights	81	73	90.1	8	9.9	78	52	66.7	16	20.5	10	12.8	0	X	
Immigration	9,659	9,053	93.7	606	6.3	9,531	363	3.8	339	3.6	8,652	90.8	177	1.9	
Pornography, prostitution	414	405	97.8	9	2.2	410	347	84.6	24	5.9	22	5.4	17	4.1	
Prison offenses	299	270	90.3	29	9.7	289	101	34.9	107	37.0	75	26.0	6	2.1	
Administration of justice offenses	866	631	72.9	235	27.1	840	350	41.7	182	21.7	271	32.3	37	4.4	
Environmental, wildlife	211	195	92.4	16	7.6	205	160	78.0	6	2.9	24	11.7	15	7.3	
National defense	20	17	85.0	3	15.0	20	15	75.0	0	X	2	10.0	3	15.0	
Antitrust	44	42	95.5	2	4.5	43	37	86.0	2	4.7	1	2.3	3	7.0	
Food and drug	78	67	85.9	11	14.1	76	48	63.2	12	15.8	9	11.8	7	9.2	
Other	1,342	1,065	79.4	277	20.6	1,197	711	59.4	263	22.0	125	10.4	98	8.2	

Note: The sentencing reform provisions of the Comprehensive Crime Control Act, Public Law No. 98-473 (1984), created the United States Sentencing Commission. The Commission's primary function is to develop and monitor sentencing policies and practices for the Federal courts. On Apr. 13, 1987, the Commission submitted initial Sentencing Guidelines and Policy Statements to Congress. The guidelines became effective on Nov. 1, 1987, and apply to all offenses committed on or after that date. These data are derived from the United States Sentencing Commission's fiscal year 1999 Offender Dataset. The Commission collected information on 55,557 cases sentenced under the Sentencing Reform Act (guideline cases) during fiscal year 1999 (Oct. 1, 1998 through Sept. 30, 1999). Given the nature of the data file and reporting requirements, the following types of cases are not included in the data presented here: cases initiated but for which no convictions were obtained, defendants convicted for whom no sentences were yet issued, defendants sentenced but for whom no data were submitted to the Commission, and cases not sentenced under the Sentencing Reform Act (non-guideline cases).

A case or defendant is defined as a single sentencing event for a single defendant (even if multiple indictments or multiple convictions are consolidated for sentencing).

Multiple defendants in a single sentencing event are treated as separate cases. If an individual defendant is sentenced more than once during the fiscal year, each sentencing event is identified as a separate case. (Source, p. A-4.)

Of the 55,557 guideline cases, some were excluded due to missing information. For sex, 169 cases were excluded due to one or both of the following conditions: missing primary offense category, 149; and missing gender information, 48. For race and ethnicity, 1,163 cases were excluded due to one or both of the following conditions: missing primary offense category, 149; and missing race or ethnicity information, 1,124.

Under drug offenses, "communication facility" refers to the use of a device, such as a telephone, in a drug trafficking offense.

<sup>a</sup>Includes both black and white Hispanics.

<sup>b</sup>Includes Native Americans, Alaska Natives, Asians, and Pacific Islanders.

Source: U.S. Sentencing Commission, **1999 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2000), pp. 14, 15. Table adapted by SOURCEBOOK staff.

Table 5.26

**Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense and age, fiscal year 1999

Primary offense	Age														Mean age (in years)	
	Total	Under 21 years		21 to 25 years		26 to 30 years		31 to 35 years		36 to 40 years		41 to 50 years		Over 50 years		
	cases	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	54,306	2,936	5.4%	10,109	18.6%	11,248	20.7%	9,182	16.9%	7,359	13.6%	8,768	16.1%	4,704	8.7%	34.1
Murder	104	15	14.4	23	22.1	24	23.1	10	9.6	9	8.7	14	13.5	9	8.7	31.5
Manslaughter	57	4	7.0	11	19.3	10	17.5	10	17.5	6	10.5	6	10.5	10	17.5	35.9
Kidnaping, hostage-taking	81	2	2.5	16	19.8	23	28.4	15	18.5	10	12.3	11	13.6	4	4.9	32.8
Sexual abuse	228	17	7.5	44	19.3	32	14.0	32	14.0	35	15.4	41	18.0	27	11.8	35.3
Assault	445	52	11.7	95	21.3	89	20.0	58	13.0	64	14.4	54	12.1	33	7.4	32.1
Robbery	1,781	188	10.6	412	23.1	363	20.4	255	14.3	240	13.5	238	13.4	85	4.8	31.5
Arson	82	9	11.0	18	22.0	11	13.4	10	12.2	9	11.0	12	14.6	13	15.9	34.2
Drug offenses																
Trafficking	21,905	1,300	5.9	4,707	21.5	5,035	23.0	3,733	17.0	2,809	12.8	3,148	14.4	1,173	5.4	32.5
Communication facility	397	20	5.0	76	19.1	78	19.6	84	21.2	56	14.1	63	15.9	20	5.0	33.3
Simple possession	622	81	13.0	141	22.7	113	18.2	84	13.5	84	13.5	95	15.3	24	3.9	31.3
Firearms	2,670	162	6.1	582	21.8	566	21.2	436	16.3	321	12.0	404	15.1	199	7.5	33.0
Burglary, breaking and entering	54	14	25.9	15	27.8	9	16.7	6	11.1	6	11.1	4	7.4	0	X	27.2
Auto theft	189	13	6.9	36	19.0	39	20.6	36	19.0	30	15.9	26	13.8	9	4.8	32.8
Larceny	2,068	181	8.8	351	17.0	330	16.0	323	15.6	277	13.4	367	17.7	239	11.6	34.9
Fraud	6,117	123	2.0	629	10.3	897	14.7	918	15.0	930	15.2	1,431	23.4	1,189	19.4	39.5
Embezzlement	948	33	3.5	172	18.1	164	17.3	135	14.2	146	15.4	177	18.7	121	12.8	36.0
Forgery, counterfeiting	1,290	84	6.5	299	23.2	299	23.2	230	17.8	158	12.2	166	12.9	54	4.2	31.7
Bribery	195	0	X	8	4.1	15	7.7	18	9.2	26	13.3	59	30.3	69	35.4	45.8
Tax	721	0	X	4	0.6	18	2.5	50	6.9	93	12.9	264	36.6	292	40.5	48.1
Money laundering	995	7	0.7	71	7.1	160	16.1	165	16.6	158	15.9	239	24.0	195	19.6	39.9
Racketeering, extortion	975	45	4.6	192	19.7	201	20.6	163	16.7	90	9.2	145	14.9	139	14.3	35.3
Gambling, lottery	136	0	X	4	2.9	15	11.0	12	8.8	14	10.3	34	25.0	57	41.9	46.6
Civil rights	80	15	18.8	13	16.3	17	21.3	5	6.3	11	13.8	12	15.0	7	8.8	32.5
Immigration	8,955	434	4.8	1,788	20.0	2,233	24.9	1,923	21.5	1,283	14.3	1,047	11.7	247	2.8	31.8
Pornography, prostitution	413	8	1.9	28	6.8	68	16.5	63	15.3	73	17.7	100	24.2	73	17.7	39.4
Prison offenses	298	5	1.7	58	19.5	74	24.8	48	16.1	46	15.4	41	13.8	26	8.7	34.1
Administration of justice offenses	859	36	4.2	121	14.1	143	16.6	125	14.6	139	16.2	179	20.8	116	13.5	36.9
Environmental, wildlife	205	6	2.9	14	6.8	17	8.3	29	14.1	27	13.2	60	29.3	52	25.4	42.2
National defense	20	0	X	0	X	2	10.0	1	5.0	2	10.0	11	55.0	4	20.0	44.9
Antitrust	44	0	X	0	X	1	2.3	4	9.1	11	25.0	14	31.8	14	31.8	46.6
Food and drug	75	0	X	4	5.3	14	18.7	7	9.3	12	16.0	22	29.3	16	21.3	41.2
Other	1,297	82	6.3	177	13.6	188	14.5	194	15.0	184	14.2	284	21.9	188	14.5	37.1

Note: See Note, table 5.25. Of the 55,557 guideline cases, 1,251 cases were excluded due to one or both of the following conditions: missing primary offense category, 149; and missing date of birth, 1,174.

Source: U.S. Sentencing Commission, *1999 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2000), p. 16.

Table 5.27

**Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense and education level, fiscal year 1999

Primary offense	Total	Education level							
		Less than high school graduate		High school graduate		Some college		College graduate	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	50,749	22,828	45.0%	15,529	30.6%	9,054	17.8%	3,338	6.6%
Murder	99	45	45.5	38	38.4	10	10.1	6	6.1
Manslaughter	55	19	34.5	21	38.2	12	21.8	3	5.5
Kidnaping, hostage-taking	74	48	64.9	17	23.0	9	12.2	0	X
Sexual abuse	228	102	44.7	68	29.8	40	17.5	18	7.9
Assault	425	185	43.5	158	37.2	70	16.5	12	2.8
Robbery	1,748	634	36.3	734	42.0	344	19.7	36	2.1
Arson	82	38	46.3	27	32.9	13	15.9	4	4.9
<b>Drug offenses</b>									
Trafficking	21,407	10,931	51.1	6,784	31.7	3,140	14.7	552	2.6
Communication facility	390	178	45.6	131	33.6	71	18.2	10	2.6
Simple possession	546	216	39.6	216	39.6	91	16.7	23	4.2
Firearms	2,620	1,179	45.0	1,019	38.9	354	13.5	68	2.6
Burglary, breaking and entering	53	25	47.2	22	41.5	6	11.3	0	X
Auto theft	179	65	36.3	78	43.6	29	16.2	7	3.9
Larceny	1,881	415	22.1	736	39.1	565	30.0	165	8.8
Fraud	5,906	1,158	19.6	1,791	30.3	1,752	29.7	1,205	20.4
Embezzlement	933	81	8.7	339	36.3	408	43.7	105	11.3
Forgery, counterfeiting	1,270	409	32.2	457	36.0	329	25.9	75	5.9
Bribery	194	35	18.0	65	33.5	52	26.8	42	21.6
Tax	708	82	11.6	193	27.3	200	28.2	233	32.9
Money laundering	974	255	26.2	283	29.1	262	26.9	174	17.9
Racketeering, extortion	952	450	47.3	288	30.3	158	16.6	56	5.9
Gambling, lottery	134	25	18.7	59	44.0	37	27.6	13	9.7
Civil rights	78	24	30.8	42	53.8	7	9.0	5	6.4
Immigration	6,871	5,436	79.1	948	13.8	366	5.3	121	1.8
Pornography, prostitution	406	39	9.6	114	28.1	152	37.4	101	24.9
Prison offenses	287	118	41.1	123	42.9	41	14.3	5	1.7
Administration of justice offenses	815	295	36.2	245	30.1	191	23.4	84	10.3
Environmental, wildlife	199	52	26.1	74	37.2	40	20.1	33	16.6
National defense	20	3	15.0	4	20.0	4	20.0	9	45.0
Antitrust	43	2	4.7	4	9.3	12	27.9	25	58.1
Food and drug	76	15	19.7	24	31.6	15	19.7	22	28.9
Other	1,096	269	24.5	427	39.0	274	25.0	126	11.5

Note: See Note, table 5.25. Of the 55,557 cases, 4,808 were excluded due to one or both of the following conditions: missing primary offense category, 149; and missing education information, 4,802.

Source: U.S. Sentencing Commission, **1999 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2000), p. 18.

Table 5.28

**Sentences imposed in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense and type of sentence, fiscal year 1999

Primary offense	Imprisonment								Probation					
	Total cases	Total receiving imprisonment		Prison only		Prison/ community split sentence <sup>a</sup>		Total receiving probation		Probation and confinement		Probation only		
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	54,790	45,828	83.6%	43,536	79.5%	2,292	4.2%	8,962	16.4%	3,274	6.0%	5,688	10.4%	
Murder	102	99	97.1	99	97.1	0	X	3	2.9	1	1.0	2	2.0	
Manslaughter	55	49	89.1	43	78.2	6	10.9	6	10.9	2	3.6	4	7.3	
Kidnaping, hostage-taking	80	80	100.0	79	98.8	1	1.3	0	X	0	X	0	X	
Sexual abuse	230	203	88.3	199	86.5	4	1.7	27	11.7	14	6.1	13	5.7	
Assault	452	362	80.1	341	75.4	21	4.6	90	19.9	30	6.6	60	13.3	
Robbery	1,713	1,679	98.0	1,711	99.9	32	1.9	34	2.0	18	1.1	16	0.9	
Arson	81	78	96.3	78	96.3	0	X	3	3.7	3	3.7	0	X	
Drug offenses														
Trafficking	21,862	20,975	95.9	20,482	93.7	493	2.3	887	4.1	412	1.9	475	2.2	
Communication facility	395	354	89.6	341	86.3	13	3.3	41	10.4	18	4.6	23	5.8	
Simple possession	671	267	39.8	258	38.5	9	1.3	404	60.2	43	6.4	361	53.8	
Firearms	2,660	2,471	92.9	2,379	89.4	92	3.5	189	7.1	102	3.8	87	3.3	
Burglary, breaking and entering	51	44	86.3	40	78.4	4	7.8	7	13.7	6	11.8	1	2.0	
Auto theft	187	142	75.9	130	69.5	12	6.4	45	24.1	21	11.2	24	12.8	
Larceny	2,025	819	40.4	695	34.3	124	6.1	1,206	59.6	388	19.2	818	40.4	
Fraud	6,118	3,940	64.4	3,242	53.0	698	11.4	2,178	35.6	916	15.0	1,262	20.6	
Embezzlement	942	510	54.1	319	33.9	191	20.3	432	45.9	135	14.3	297	31.5	
Forgery, counterfeiting	1,275	802	62.9	708	55.5	94	7.4	473	37.1	207	16.2	266	20.9	
Bribery	195	100	51.3	88	45.1	12	6.2	95	48.7	48	24.6	47	24.1	
Tax	717	330	46.0	235	32.8	95	13.3	387	54.0	199	27.8	188	26.2	
Money laundering	998	786	78.8	734	73.5	52	5.2	212	21.2	87	8.7	125	12.5	
Racketeering, extortion	968	899	92.9	871	90.0	28	2.9	69	7.1	36	3.7	33	3.4	
Gambling, lottery	136	37	27.2	28	20.6	9	6.6	99	72.8	41	30.1	58	42.6	
Civil rights	80	48	60.0	43	53.8	5	6.3	32	40.0	11	13.8	21	26.3	
Immigration	9,554	8,882	93.0	8,762	91.7	120	1.3	672	7.0	134	1.4	538	5.6	
Pornography, prostitution	411	367	89.3	349	84.9	18	4.4	44	10.7	24	5.8	20	4.9	
Prison offenses	294	269	91.5	262	89.1	7	2.4	25	8.5	7	2.4	18	6.1	
Administration of justice offenses	855	543	63.5	492	57.5	51	6.0	312	36.5	122	14.3	190	22.2	
Environmental, wildlife	200	51	25.5	38	19.0	13	6.5	149	74.5	59	29.5	90	45.0	
National defense	18	16	88.9	12	66.7	4	22.2	2	11.1	0	X	2	11.1	
Antitrust	44	26	59.1	14	31.8	12	27.3	18	40.9	5	11.4	13	29.5	
Food and drug	75	23	30.7	17	22.7	6	8.0	52	69.3	17	22.7	35	46.7	
Other	1,282	513	40.0	447	34.9	66	5.1	769	60.0	168	13.1	601	46.9	

Note: See Note, table 5.25. Of the 55,557 guideline cases, 767 cases were excluded due to one or more of the following conditions: missing primary offense category, 149; missing sentencing information, 412; and cases in which a defendant received no imprisonment or probation, 285.

<sup>a</sup>A term of imprisonment followed by supervised release with a condition of community confinement, home detention, or intermittent confinement.

Source: U.S. Sentencing Commission, *1999 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2000), p. 28.

Table 5.29

**Length of sentences to imprisonment imposed in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 1999

Primary offense	Sentences to imprisonment		
	Total cases	Average length (in months)	Median length (in months)
Total	44,735	57.3	33
Murder	99	204.7	132
Manslaughter	49	34.1	16
Kidnaping, hostage-taking	79	143.7	97
Sexual abuse	203	71.8	36
Assault	348	42.3	30
Robbery	1,735	106.9	72
Arson	77	79.4	60
<u>Drug offenses</u>			
Trafficking	20,778	76.4	51
Communication facility	350	45.7	48
Simple possession	238	17.4	6
Firearms	2,375	70.0	45
Burglary, breaking and entering	44	25.5	18
Auto theft	140	71.4	24
Larceny	809	15.8	12
Fraud	3,850	18.7	12
Embezzlement	497	9.1	4
Forgery, counterfeiting	793	15.8	12
Bribery	99	19.9	15
Tax	328	18.0	12
Money laundering	777	43.7	33
Racketeering, extortion	887	99.2	60
Gambling, lottery	37	11.2	10
Civil rights	47	44.1	30
Immigration	8,416	28.4	24
Pornography, prostitution	363	46.1	30
Prison offenses	267	18.1	15
Administration of justice offenses	524	26.4	18
Environmental, wildlife	49	13.0	10
National defense	16	71.6	27
Antitrust	25	9.2	4
Food and drug	23	7.7	4
Other	413	28.6	12

Note: See Note, table 5.25. Of the 55,557 guideline cases, 9,215 cases with zero months of prison ordered were excluded. In addition, 1,609 cases were excluded due to one or more of the following conditions: missing primary offense category, 62; missing criminal history category, 778; and missing or indeterminable sentencing information, 906.

Source: U.S. Sentencing Commission, **1999 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2000), p. 30.

Table 5.30

**Fines and restitution ordered in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 1999

Primary offense	Total cases	No fine or restitution ordered		Restitution ordered/no fine		Fine ordered/no restitution		Both fine and restitution ordered		Amount of payment ordered (dollar amount)			
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Total cases	Mean	Median	Total
Total	54,291	36,701	67.6%	8,670	16.0%	7,831	14.4%	1,089	2.0%	17,673	\$108,345	\$4,000	\$1,914,783,821
Murder	108	61	56.5	34	31.5	10	9.3	3	2.8	47	12,055	4,065	566,583
Manslaughter	55	22	40.0	26	47.3	6	10.9	1	1.8	33	10,007	2,315	330,215
Kidnaping, hostage-taking	78	48	61.5	15	19.2	12	15.4	3	3.8	30	33,388	4,569	1,001,646
Sexual abuse	227	151	66.5	40	17.6	30	13.2	6	2.6	77	6,042	1,999	465,217
Assault	447	263	58.8	115	25.7	61	13.6	8	1.8	183	6,040	1,000	1,105,266
Robbery	1,734	413	23.8	1,148	66.2	87	5.0	86	5.0	1,331	25,008	4,390	33,286,080
Arson	81	20	24.7	51	63.0	6	7.4	4	4.9	61	234,273	30,971	14,290,623
<b>Drug offenses</b>													
Trafficking	21,614	18,339	84.8	162	0.8	3,038	14.1	75	0.3	3,277	12,602	2,000	41,298,205
Communication facility	390	317	81.3	3	0.8	69	17.7	1	0.3	73	2,595	1,000	189,420
Simple possession	671	360	53.7	3	0.4	297	44.3	11	1.6	311	1,090	1,000	339,041
Firearms	2,633	1,962	74.5	190	7.2	464	17.6	17	0.6	674	14,211	2,000	9,578,208
Burglary, breaking and entering	52	12	23.1	38	73.1	1	1.9	1	1.9	41	4,215	1,362	172,833
Auto theft	183	61	33.3	101	55.2	14	7.7	7	3.8	122	58,614	14,881	7,150,886
Larceny	2,042	493	24.1	998	48.9	406	19.9	145	7.1	1,559	46,642	4,004	72,715,305
Fraud	6,062	1,496	24.7	3,569	58.9	635	10.5	362	6.0	4,601	219,738	19,856	1,011,013,189
Embezzlement	940	171	18.2	606	64.5	90	9.6	73	7.8	779	61,121	9,373	47,613,261
Forgery, counterfeiting	1,265	485	38.3	558	44.1	155	12.3	67	5.3	783	22,107	1,798	17,309,895
Bribery	193	71	36.8	27	14.0	87	45.1	8	4.1	122	33,145	5,200	4,043,664
Tax	708	307	43.4	108	15.3	259	36.6	34	4.8	403	61,100	10,000	24,623,433
Money laundering	990	554	56.0	200	20.2	210	21.2	26	2.6	438	900,036	12,480	394,215,627
Racketeering, extortion	959	559	58.3	240	25.0	146	15.2	14	1.5	401	440,595	6,571	176,678,554
Gambling, lottery	136	45	33.1	1	0.7	90	66.2	0	X	91	94,536	3,289	8,602,747
Civil rights	80	37	46.3	14	17.5	18	22.5	11	13.8	43	86,171	3,000	3,705,368
Immigration	9,424	8,831	93.7	13	0.1	568	6.0	12	0.1	591	5,648	600	3,338,093
Pornography, prostitution	411	260	63.3	18	4.4	128	31.1	5	1.2	151	5,756	4,000	869,205
Prison offenses	294	258	87.8	8	2.7	28	9.5	0	X	36	4,999	1,000	179,971
Administration of justice offenses	852	563	66.1	79	9.3	200	23.5	10	1.2	289	29,707	3,000	8,585,258
Environmental, wildlife	209	64	30.6	32	15.3	104	49.8	9	4.3	145	21,885	3,400	3,173,281
National defense	19	12	63.2	1	5.3	6	31.6	0	X	7	6,686	6,000	46,799
Antitrust	44	6	13.6	1	2.3	33	75.0	4	9.1	38	40,379	20,000	1,534,408
Food and drug	77	20	26.0	10	13.0	43	55.8	4	5.2	57	27,965	4,000	1,594,029
Other	1,313	440	33.5	261	19.9	530	40.4	82	6.2	879	28,632	1,000	25,167,511

Note: See Note, table 5.25. Of the 55,557 guideline cases, 1,266 cases were excluded due to one or both of the following conditions: missing primary offense category, 149; and missing information on type of economic sanction for cases in which orders were made, 1,133. A total of 17,673 cases were used to calculate amount of payments ordered. This differs from the 17,590 cases in which fines and/or restitution were ordered due to the exclusion of cases in which the amount of fine and/or restitution was not specified. Fine information includes either fines and/or costs of supervision.

Source: U.S. Sentencing Commission, **1999 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2000), p. 33.

Table 5.31

**Mode of conviction in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 1999

Primary offense	Mode of conviction				
	Total cases	Plea of guilty		Trial	
		Number	Percent	Number	Percent
Total	54,903	51,945	94.6%	2,958	5.4%
Murder	96	77	80.2	19	19.8
Manslaughter	55	53	96.4	2	3.6
Kidnaping, hostage-taking	80	65	81.3	15	18.8
Sexual abuse	229	202	88.2	27	11.8
Assault	449	409	91.1	40	8.9
Robbery	1,771	1,616	91.2	155	8.8
Arson	80	64	80.0	16	20.0
<u>Drug offenses</u>					
Trafficking	21,840	20,481	93.8	1,359	6.2
Communication facility	396	393	99.2	3	0.8
Simple possession	674	645	95.7	29	4.3
Firearms	2,645	2,394	90.5	251	9.5
Burglary, breaking and entering	53	49	92.5	4	7.5
Auto theft	187	172	92.0	15	8.0
Larceny	2,067	1,981	95.8	86	4.2
Fraud	6,144	5,846	95.2	298	4.9
Embezzlement	949	932	98.2	17	1.8
Forgery, counterfeiting	1,281	1,255	98.0	26	2.0
Bribery	195	181	92.8	14	7.2
Tax	722	670	92.8	52	7.2
Money laundering	993	887	89.3	106	10.7
Racketeering, extortion	966	856	88.6	110	11.4
Gambling, lottery	135	133	98.5	2	1.5
Civil rights	78	66	84.6	12	15.4
Immigration	9,591	9,440	98.4	151	1.6
Pornography, prostitution	411	389	94.6	22	5.4
Prison offenses	297	291	98.0	6	2.0
Administration of justice offenses	860	827	96.2	33	3.8
Environmental, wildlife	206	198	96.1	8	3.9
National defense	20	14	70.0	6	30.0
Antitrust	44	37	84.1	7	15.9
Food and drug	78	77	98.7	1	1.3
Other	1,311	1,245	95.0	66	5.0

Note: See Note, table 5.25. Of the 55,557 guideline cases, 654 cases were excluded due to one or both of the following conditions: missing primary offense category, 149; and missing information on mode of conviction, 637.

Source: U.S. Sentencing Commission, *1999 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2000), p. 24.



Table 5.32

**Sentences within and departing from U.S. Sentencing Commission guidelines in U.S. District Courts**

By primary offense, fiscal year 1999

Primary offense	Total cases	Downward departures							
		Within guideline range		Substantial assistance departure <sup>a</sup>		Other downward departure		Upward departure	
				Number	Percent	Number	Percent		
Total	52,369	33,988	64.9%	9,780	18.7%	8,288	15.8%	313	0.6%
Murder	99	74	74.7	7	7.1	12	12.1	6	6.1
Manslaughter	56	44	78.6	2	3.6	6	10.7	4	7.1
Kidnaping, hostage-taking	76	49	64.5	15	19.7	7	9.2	5	6.6
Sexual abuse	228	168	73.7	4	1.8	43	18.9	13	5.7
Assault	420	333	79.3	11	2.6	64	15.2	12	2.9
Robbery	1,724	1,191	69.1	264	15.3	236	13.7	33	1.9
Arson	73	51	69.9	15	20.5	4	5.5	3	4.1
<b>Drug offenses</b>									
Trafficking	21,414	11,756	54.9	6,276	29.3	3,347	15.6	35	0.2
Communication facility	384	258	67.2	73	19.0	51	13.3	2	0.5
Simple possession	566	531	93.8	25	4.4	6	1.1	4	0.7
Firearms	2,518	1,922	76.3	289	11.5	276	11.0	31	1.2
Burglary, breaking and entering	52	45	86.5	1	1.9	5	9.6	1	1.9
Auto theft	184	124	67.4	45	24.5	10	5.4	5	2.7
Larceny	1,942	1,646	84.8	154	7.9	136	7.0	6	0.3
Fraud	5,842	4,224	72.3	1,008	17.3	567	9.7	43	0.7
Embezzlement	908	763	84.0	41	4.5	101	11.1	3	0.3
Forgery, counterfeiting	1,230	988	80.3	153	12.4	79	6.4	10	0.8
Bribery	190	100	52.6	60	31.6	26	13.7	4	2.1
Tax	672	498	74.1	88	13.1	86	12.8	0	X
Money laundering	970	568	58.6	275	28.4	123	12.7	4	0.4
Racketeering, extortion	933	532	57.0	284	30.4	110	11.8	7	0.8
Gambling, lottery	129	73	56.6	44	34.1	12	9.3	0	X
Civil rights	80	56	70.0	17	21.3	7	8.8	0	X
Immigration	8,880	5,862	66.0	367	4.1	2,614	29.4	37	0.4
Pornography, prostitution	398	267	67.1	26	6.5	90	22.6	15	3.8
Prison offenses	293	242	82.6	9	3.1	36	12.3	6	2.0
Administration of justice offenses	809	591	73.1	111	13.7	102	12.6	5	0.6
Environmental, wildlife	192	136	70.8	27	14.1	28	14.6	1	0.5
National defense	17	7	41.2	6	35.3	4	23.5	0	X
Antitrust	44	18	40.9	6	13.6	20	45.5	0	X
Food and drug	72	61	84.7	4	5.6	7	9.7	0	X
Other	974	810	83.2	73	7.5	73	7.5	18	1.8

Note: See Note, table 5.25. A case is determined to involve no departure if the sentence imposed is within the guideline range. If a sentence imposed by the court falls outside the guideline range, the court provides reasons for the departure. (Source, p. A-2.) Of the 55,557 cases, 3,188 cases were excluded due to one or both of the following conditions: missing offense type, 149; or missing/inapplicable departure information, 3,132.

<sup>a</sup>Cases departed downward based on a motion by the Government for a reduced sentence due to the defendant's substantial assistance to authorities.

Source: U.S. Sentencing Commission, *1999 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2000), p. 56.

Table 5.33

**Defendants charged with violation of drug laws in U.S. District Courts**

By type of disposition, 1945-2000

	Total defendants	Not convicted				Convicted and sentenced			
		Total	Dismissed <sup>a</sup>	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
				Court	Jury			Court	Jury
1945	1,413	228	197	5	26	1,185	1,062	35	88
1946	1,687	349	305	13	31	1,338	1,218	37	83
1947	1,880	210	153	17	40	1,670	1,517	57	96
1948	1,790	308	237	14	57	1,482	1,324	48	110
1949	1,806	208	148	14	46	1,598	1,404	59	135
1950	2,400	264	184	28	52	2,136	1,907	61	168
1951	2,332	304	234	25	45	2,028	1,745	105	178
1952	2,121	252	184	29	39	1,869	1,523	109	237
1953	2,336	333	237	30	66	2,003	1,589	121	293
1954	2,220	310	239	28	43	1,910	1,491	107	312
1955	2,166	363	279	32	52	1,803	1,386	95	322
1956	1,835	314	221	36	57	1,521	1,168	93	260
1957	1,910	256	184	28	44	1,654	1,264	91	299
1958	1,942	301	217	25	59	1,641	1,138	129	374
1959	1,742	364	267	40	57	1,378	1,005	112	261
1960	1,846	340	263	38	39	1,506	1,155	93	258
1961	1,828	313	248	20	45	1,515	1,171	74	270
1962	1,643	240	175	29	36	1,403	1,022	113	268
1963	1,689	283	222	34	27	1,406	1,040	112	254
1964	1,679	271	205	32	34	1,408	1,039	112	257
1965	2,078	323	257	41	25	1,755	1,384	132	239
1966	2,223	349	280	36	33	1,874	1,469	119	286
1967	2,250	428	363	34	31	1,822	1,424	119	279
1968	2,692	563	466	49	48	2,129	1,664	138	327
1969	3,545	836	716	50	70	2,709	2,239	123	347
1970	3,420	959	886	48	45	2,461	2,030	97	334
1971	5,366	2,204	2,080	43	81	3,162	2,682	94	386
1972	6,848	1,600	1,396	52	152	5,248	4,391	228	629
1973	9,983	2,169	1,905	83	181	7,814	6,297	393	1,124
1974	10,989	2,744	2,430	80	234	8,245	6,666	437	1,142
1975	10,901	2,750	2,454	62	234	8,151	6,531	393	1,227
1976	10,762	2,721	2,404	73	244	8,041	6,324	446	1,271
1977	9,741	2,106	1,754	53	299	7,635	5,970	387	1,278
1978	7,860	2,043	1,729	37	277	5,817	4,440	290	1,087
1979	6,609	1,542	1,297	34	211	5,067	3,662	240	1,165
1980	6,343	1,594	1,337	32	225	4,749	3,450	236	1,063
1981	7,008	1,662	1,385	29	248	5,346	3,757	308	1,281
1982	7,981	1,645	1,360	51	234	6,336	4,798	342	1,196
1983	9,164	1,674	1,393	36	245	7,490	5,774	363	1,353
1984	9,191	1,732	1,421	28	283	7,459	5,793	218	1,448
1985	11,208	1,977	1,609	56	312	9,231	7,511	223	1,497
1986	12,934	2,170	1,811	63	296	10,764	8,888	159	1,717
1987	15,130	2,431	2,047	49	335	12,699	10,655	203	1,841
1988	15,750	2,588	2,168	45	375	13,162	11,044	170	1,948
1989	16,834	2,695	2,299	49	347	14,139	11,686	161	2,292
1990	19,271	3,083	2,610	53	420	16,188	13,067	148	2,973
1991	19,227	2,881	2,444	39	398	16,346	13,554	93	2,699
1992	19,168	2,779	2,323	35	421	16,389	13,577	60	2,752
1993	21,543	2,967	2,534	60	373	18,576	16,018	78	2,480
1994	21,441	2,978	2,592	65	321	18,463	16,276	48	2,139
1995	18,502	2,641	2,358	52	231	15,861	14,345	56	1,460
1996	20,957	2,624	2,376	38	210	18,333	16,620	48	1,665
1997	22,276	2,443	2,224	36	183	19,833	18,315	65	1,453
1998	24,141	2,612	2,371	47	194	21,529	20,042	62	1,425
1999	27,023	2,776	2,567	37	172	24,247	22,936	66	1,245
2000	27,220	2,434	2,210	41	183	24,786	23,630	50	1,106

Note: See Notes, tables 5.8 and 5.21. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

<sup>a</sup>From 1968-81 and 1990-2000, defendants who were committed pursuant to 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act are included in the dismissed column.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1984* (Washington, DC: USGPO, 1986), pp. 42, 43; Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1985* (Washington, DC: Administrative Office of the United States Courts, 1987), pp. 40, 41; Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 214-216; Administrative Office of the United States Courts, *Annual Report of the Director, 1998*, pp. 228-230; *1999*, pp. 222-224 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 221-223; and tables provided to SOURCEBOOK staff by the Administrative Office of the United States Courts. Table adapted by SOURCEBOOK staff.

Table 5.34

**Defendants sentenced for violation of drug laws in U.S. District Courts**

By type and length of sentence, 1945-2000

	Type of sentence										Average sentence to imprisonment (in months) <sup>d</sup>	Average sentence to probation (in months) <sup>e</sup>
	Imprisonment											
	Total	Regular sentences <sup>a</sup>					Life sentences	Other <sup>b</sup>	Probation	Fine and other <sup>c</sup>		
		Total regular	1 through 12 months	13 through 35 months	36 through 60 months	Over 60 months						
1945	861	X	308	360	140	53	NA	X	287	37	22.2	NA
1946	949	X	430	377	108	34	NA	X	369	20	18.7	NA
1947	1,128	X	471	452	161	44	NA	X	504	38	19.7	NA
1948	1,048	X	488	408	122	30	NA	X	411	23	18.6	NA
1949	1,187	X	541	451	152	43	NA	X	398	13	18.9	NA
1950	1,654	X	595	736	218	105	NA	X	471	11	21.9	NA
1951	1,659	X	473	671	328	187	NA	X	345	24	27.1	NA
1952	1,551	X	221	652	402	276	NA	X	312	6	35.2	NA
1953	1,586	X	108	789	358	331	NA	X	403	14	38.4	NA
1954	1,483	X	72	681	360	370	NA	X	411	16	41.3	NA
1955	1,457	X	47	648	360	402	NA	X	329	17	43.5	NA
1956	1,258	X	30	511	341	376	NA	X	250	13	45.8	NA
1957	1,432	X	16	326	248	842	NA	X	220	2	66.0	NA
1958	1,351	X	25	167	141	1,018	NA	X	282	8	69.4	NA
1959	1,151	X	43	126	95	887	NA	X	224	3	74.2	NA
1960	1,232	X	33	145	148	906	NA	X	271	3	72.8	NA
1961	1,258	X	42	126	105	985	NA	X	252	5	74.0	NA
1962	1,173	X	38	129	106	900	NA	X	217	13	70.5	NA
1963	1,085	X	39	144	113	789	NA	X	304	17	70.1	NA
1964	1,076	X	28	142	157	749	NA	X	309	23	63.7	NA
1965	1,257	X	53	186	197	821	NA	X	480	18	60.3	NA
1966	1,272	X	85	154	276	757	NA	X	589	13	61.3	NA
1967	1,180	X	83	139	245	713	NA	X	620	22	62.0	NA
1968	1,368	X	93	141	293	841	NA	X	728	33	64.4	NA
1969	1,581	X	110	179	500	892	NA	X	1,110	18	63.7	NA
1970	1,283	X	101	166	276	740	NA	X	1,156	22	64.8	NA
1971	1,834	X	249	300	428	857	NA	X	1,258	70	58.5	NA
1972	3,050	X	882	396	789	983	NA	X	2,068	130	46.4	NA
1973	5,097	X	1,445	744	1,343	1,565	NA	X	2,591	126	45.5	NA
1974	5,125	X	1,547	792	1,390	1,396	NA	X	3,039	81	43.7	NA
1975	4,887	X	1,366	706	1,441	1,374	NA	X	3,209	55	45.3	NA
1976	5,039	X	1,221	790	1,544	1,484	NA	X	2,927	75	47.6	NA
1977	5,223	X	1,505	886	1,366	1,466	NA	X	2,324	88	47.3	NA
1978	4,119	3,605	885	623	956	1,141	NA	514	1,630	68	51.3	38.6
1979	3,641	2,820	369	614	868	969	NA	821	1,379	47	50.8	37.8
1980	3,479	2,547	281	565	792	909	NA	932	1,232	38	54.5	38.7
1981	3,856	2,865	403	578	748	1,136	NA	991	1,371	119	55.5	36.6
1982	4,586	3,516	383	729	966	1,438	NA	1,070	1,617	133	61.4	34.1
1983	5,449	4,150	447	890	1,011	1,802	NA	1,299	1,893	148	63.8	33.7
1984	5,756	4,306	354	845	1,173	1,934	NA	1,450	1,584	119	65.7	43.2
1985	6,786	5,207	411	1,103	1,459	2,234	NA	1,579	2,039	238	64.8	36.2
1986	8,152	6,601	506	1,271	1,808	3,016	NA	1,551	2,353	259	70.0	38.7
1987	9,907	8,188	613	1,491	2,049	4,035	NA	1,719	2,680	112	73.0	39.9
1988	9,983	8,560	708	1,466	1,577	4,809	NA	1,423	3,042	137	78.0	33.4
1989	11,626	10,838	1,270	2,343	1,844	5,381	NA	788	2,358	155	73.8	32.8
1990	13,838	13,462	1,490	3,047	1,801	7,124	NA	376	2,135	215	79.3	32.3
1991	14,382 <sup>f</sup>	14,286	1,687	2,828	3,063	6,708	34	61	1,896	68	95.7	53.4
1992	16,040	15,775	1,810	3,423	3,397	7,145	80	185	2,011	194	87.8	38.7
1993	16,995 <sup>f</sup>	16,639	2,097	3,383	4,128	7,031	186	169	1,943	310	83.2	35.8
1994	15,623	15,130	1,836	3,074	3,798	6,422	238	255	1,908	73	84.3	34.4
1995	14,157	13,734	1,606	2,716	3,311	6,101	150	273	1,597	107	88.7	33.6
1996	18,333	16,684	1,643	3,334	4,025	7,113	197	372	1,534	112	82.5	35.0
1997	18,231 <sup>f</sup>	17,456	1,687	4,166	4,445	7,158	228	546	1,523	79	79.3	34.9
1998	19,809	19,062	2,100	4,443	4,517	8,002	180	567	1,629	91	78.0	34.9
1999	22,443 <sup>f</sup>	21,513	2,670	5,074	5,240	8,529	205	724	1,719	85	74.6	34.2
2000	23,120	22,207	2,523	5,095	5,452	9,137	148	765	1,591	75	75.7	35.1

Note: See Notes, tables 5.8 and 5.21. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes sentences of more than 6 months that are to be followed by a term of probation (mixed sentences). Beginning in 1991, includes sentences of at least 1 month that may be followed by a term of probation.

<sup>b</sup>From 1978-88, "other" includes split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences. In 1989 and 1990, the category includes split sentences and indeterminate sentences. Beginning in 1991, "other" includes deportation, suspended and sealed sentences, imprisonment of 4 days or less, and no sentence.

<sup>c</sup>Includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

<sup>d</sup>From 1978-90, split sentences, Youth Corrections Act and youthful offender sentences, and life sentences are not included in computing average sentence. Beginning in 1991, life sentences, death sentences, deportation, suspended and sealed sentences, imprisonment of 4 days or less, and no sentence also are not included in computing average sentence.

<sup>e</sup>From 1986-90, split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences are not included in computing average sentence. Beginning in 1991, supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence also are not included in computing the average sentence.

<sup>f</sup>Includes one death sentence.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1984* (Washington, DC: USGPO, 1986), pp. 42, 43; Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1985* (Washington, DC: Administrative Office of the United States Courts, 1987), pp. 40, 41; Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 217-220; Administrative Office of the United States Courts, *Annual Report of the Director, 1998*, pp. 231-234; *1999*, pp. 225-227 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 224-227; and tables provided to SOURCEBOOK staff by the Administrative Office of the United States Courts. Table adapted by SOURCEBOOK staff.

Table 5.35

**Drug offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**By offender characteristics, mode of conviction, and drug offense, fiscal year 1999<sup>a</sup>

	Drug type													
	Total cases		Powder cocaine		Crack cocaine		Heroin		Marijuana		Metham- phetamine <sup>b</sup>		Other	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Sex</b>														
Male	19,366	86.1%	4,259	85.4%	4,673	89.8%	1,477	82.2%	6,101	86.1%	23,877	83.8%	469	81.7%
Female	3,133	13.9	731	14.6	529	10.2	320	17.8	988	13.9	460	16.2	105	18.3
<b>Race, ethnicity</b>														
White	5,610	25.0	969	19.5	278	5.4	226	12.6	1,972	27.9	1,740	61.3	425	74.6
Black	7,009	31.2	1,570	31.5	4,391	84.7	397	22.2	554	7.8	42	1.5	55	9.6
Hispanic <sup>c</sup>	9,416	42.0	2,358	47.4	463	8.9	1,118	62.4	4,462	63.1	933	32.9	82	14.4
Other <sup>d</sup>	405	1.8	82	1.6	55	1.1	50	2.8	88	1.2	122	4.3	8	1.4
<b>Citizenship</b>														
United States	15,446	69.1	3,200	64.4	4,781	92.3	815	45.6	3,993	56.8	2,170	76.7	487	85.4
Non-United States	6,913	30.9	1,767	35.6	400	7.7	971	54.4	3,032	43.2	660	23.3	83	14.6
<b>Mode of conviction</b>														
Guilty plea	19,682	94.2	4,289	93.0	4,363	90.4	1,544	95.4	6,435	97.0	2,546	95.0	505	96.4
Trial	1,211	5.8	323	7.0	461	9.6	75	4.6	199	3.0	134	5.0	19	3.6
<b>Drug offenses</b>														
Drug trafficking	21,581	95.9	4,865	97.5	4,917	94.5	1,755	97.7	6,764	95.4	2,743	96.3	537	93.6
Protected locations <sup>e</sup>	328	1.5	43	0.9	209	4.0	10	0.6	31	0.4	33	1.2	2	0.3
Continuing criminal enterprise	32	0.1	10	0.2	7	0.1	4	0.2	7	0.1	2	0.1	2	0.3
Communication facility	26	0.1	10	0.2	4	0.1	4	0.2	3	(f)	5	0.2	0	X
Rent/manage drug establishment	48	0.2	8	0.2	12	0.2	3	0.2	7	0.1	18	0.6	0	X
Possession	484	2.2	54	1.1	53	1.0	21	1.2	277	3.9	46	1.6	33	5.7

Note: See Note, table 5.25. Of the 55,557 guideline cases, 22,682 were sentenced under drug offense guidelines. Some cases are excluded from the table due to missing information.

<sup>d</sup>Includes Native Americans, Alaska Natives, Asians, and Pacific Islanders.

<sup>e</sup>Offenses occurring at designated protected locations such as near schools or playgrounds.

<sup>f</sup>Less than 0.05%.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Beginning in fiscal year 1996, this category included methamphetamine mixture, methamphetamine actual, ICE, and methamphetamine precursors. Prior to fiscal year 1996, this category did not include ICE.

<sup>c</sup>Includes both black and white Hispanics.

Source: U.S. Sentencing Commission, **1999 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2000), pp. 68-71; p. 73. Table adapted by SOURCEBOOK staff.

Table 5.36

**Convictions resulting from arrests by the Drug Enforcement Administration**By type of drug, fiscal years 1992-2000<sup>a</sup>

Fiscal year	Type of drug									
	Total		Heroin <sup>b</sup>		Cocaine <sup>c</sup>		Cannabis <sup>d</sup>		Other dangerous drugs <sup>e</sup>	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1992	17,308	100%	1,412	8.2%	9,417	54.4%	3,852	22.3%	2,627	15.2%
1993	18,257	100	2,059	11.3	9,580	52.5	4,014	22.0	2,604	14.3
1994	14,760	100	1,358	9.2	7,617	51.6	3,645	24.7	2,140	14.5
1995	14,102	100	1,363	9.7	7,178	50.9	3,340	23.7	2,221	15.7
1996	15,625	100	1,612	10.3	7,442	47.6	3,844	24.6	2,727	17.5
1997	15,765	100	1,596	10.1	7,206	45.7	3,939	25.0	3,024	19.2
1998	18,696	100	1,705	9.1	8,365	44.7	4,449	23.8	4,177	22.3
1999	20,628	100	1,967	9.5	8,957	43.4	4,487	21.8	5,217	25.3
2000	20,578	100	1,977	9.6	9,000	43.7	4,110	20.0	5,491	26.7

Note: Data are reported for the year in which the conviction occurred and may include convictions resulting from arrests made in prior years. Data for all years are revised by the Source as additional information becomes available.

<sup>d</sup>Includes marijuana, hashish, and hashish oil.

<sup>e</sup>Includes stimulants (e.g., methamphetamine), depressants (e.g., barbiturates), and hallucinogens (e.g., LSD and PCP).

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes morphine, opium, and other opiate-related substances.

<sup>c</sup>Includes crack.

Source: Table adapted by SOURCEBOOK staff from table provided by the U.S. Department of Justice, Drug Enforcement Administration, Defendant Statistical System.

Table 5.37

**Antitrust cases filed in U.S. District Courts**By type of case, 1975-2000<sup>a</sup>

	Total	U.S. Government cases		Private cases	
		Number	Percent	Number	Percent
1975	1,467	92	6.3%	1,375	93.7%
1976	1,574	70	4.4	1,504	95.6
1977	1,689	78	4.6	1,611	95.4
1978	1,507	72	4.8	1,435	95.2
1979	1,312	78	5.9	1,234	94.1
1980	1,535	78	5.1	1,457	94.9
1981	1,434	142	9.9	1,292	90.1
1982	1,148	111	9.7	1,037	90.3
1983	1,287	95	7.4	1,192	92.6
1984	1,201	101	8.4	1,100	91.6
1985	1,142	90	7.9	1,052	92.1
1986	922	84	9.1	838	90.9
1987	858	100	11.6	758	88.4
1988	752	98	13.0	654	87.0
1989	738	99	13.4	639	86.6
1990	542	90	16.6	452	83.4
1991	743	93	12.5	650	87.5
1992	566	85	15.0	481	84.9
1993	724	86	11.9	638	88.1
1994	729	71	9.7	658	90.3
1995	819	75	9.2	744	90.8
1996	720	73	10.1	647	89.9
1997	632	62	9.8	570	90.2
1998	605	57	9.4	548	90.6
1999	684	76	11.1	608	88.9
2000	901	90	10.0	811	90.0

Note: U.S. Government cases include both civil and criminal filings, and include cases where the Government was a plaintiff or a defendant. Data for 1975-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Data for 1988-91 have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Percents may not add to 100 because of rounding.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 156; 1986, pp. 176, 238; 1995, pp. 139, 209; 1998, pp. 143, 212; 1999, pp. 137, 206 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1984, p. 151; 1987, pp. 178, 257; 1988, pp. 181, 260; 1989, pp. 177, 258; 1990, pp. 137, 187; 1991, pp. 190, 243; 1992, pp. 179, 250; 1993, pp. A1-55, A53; 1994, Tables C-2 and D-2; 1996, pp. 136, 205; 1997, pp. 129, 198 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 136, 205. Table adapted by SOURCEBOOK staff.

Table 5.38

**Length of civil and criminal trials completed in U.S. District Courts**

By circuit and district, fiscal year 2000

Circuit and district	Total number of trials	Civil trials							Criminal trials						
		Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over	Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over
Total	14,679	7,933	3,639	1,209	976	1,831	238	40	6,746	3,260	1,135	832	1,227	222	70
District of Columbia	170	78	41	8	9	13	6	1	92	31	6	12	30	9	4
First Circuit	469	272	85	29	33	93	25	7	197	90	30	16	40	16	5
Maine	46	25	4	4	9	6	2	0	21	9	8	3	1	0	0
Massachusetts	168	122	33	9	14	44	16	6	46	3	4	6	22	10	1
New Hampshire	54	26	11	0	3	11	1	0	28	17	4	2	4	1	0
Rhode Island	50	32	3	9	3	17	0	0	18	8	5	1	4	0	0
Puerto Rico	151	67	34	7	4	15	6	1	84	53	9	4	9	5	4
Second Circuit	1,428	992	344	147	142	311	42	6	436	161	57	54	116	35	13
Connecticut	217	167	56	26	23	56	5	1	50	21	8	4	14	2	1
New York:															
Northern	99	77	15	11	17	28	4	2	22	4	2	5	9	2	0
Eastern	471	324	152	44	37	79	11	1	147	49	29	20	38	9	2
Southern	509	360	104	60	54	125	15	2	149	46	17	20	39	18	9
Western	96	44	7	4	9	19	5	0	52	30	1	4	13	3	1
Vermont	36	20	10	2	2	4	2	0	16	11	0	1	3	1	0
Third Circuit	1,028	720	280	118	102	191	26	3	308	117	36	39	89	22	5
Delaware	75	66	41	3	4	14	3	1	9	4	2	0	2	1	0
New Jersey	247	188	78	34	23	44	9	0	59	21	2	6	17	9	4
Pennsylvania:															
Eastern	316	224	64	45	43	63	8	1	92	18	9	20	38	7	0
Middle	192	105	40	17	16	29	3	0	87	52	12	7	12	3	1
Western	172	125	48	18	15	40	3	1	47	19	7	4	16	1	0
Virgin Islands	26	12	9	1	1	1	0	0	14	3	4	2	4	1	0
Fourth Circuit	1,451	685	386	117	67	108	6	1	766	451	146	70	82	9	8
Maryland	227	122	54	17	13	37	0	1	105	45	18	11	23	3	5
North Carolina:															
Eastern	86	19	6	8	2	3	0	0	67	39	7	10	9	2	0
Middle	84	29	12	1	4	9	3	0	55	22	22	7	4	0	0
Western	118	49	40	4	2	2	1	0	69	36	15	6	11	0	1
South Carolina	274	150	68	30	21	31	0	0	124	83	11	12	18	0	0
Virginia:															
Eastern	393	159	93	31	17	17	1	0	234	168	36	16	12	1	1
Western	115	61	41	12	4	4	0	0	54	30	20	2	2	0	0
West Virginia:															
Northern	73	64	53	6	4	1	0	0	9	4	2	1	0	1	1
Southern	81	32	19	8	0	4	1	0	49	24	15	5	3	2	0
Fifth Circuit	2,468	1,365	833	209	143	166	13	1	1,103	677	205	104	96	14	7
Louisiana:															
Eastern	202	154	60	44	29	21	0	0	48	30	14	3	1	0	0
Middle	28	10	4	2	3	1	0	0	18	13	3	0	0	0	2
Western	115	85	32	19	17	17	0	0	30	16	4	4	6	0	0
Mississippi:															
Northern	78	58	20	20	10	7	1	0	20	9	5	3	3	0	0
Southern	129	92	32	27	14	17	2	0	37	20	12	2	3	0	0
Texas:															
Northern	313	218	146	23	21	25	3	0	95	38	20	14	18	5	0
Eastern	195	122	63	25	16	18	0	0	73	32	17	8	13	0	3
Southern	961	462	362	36	21	39	4	0	499	356	60	41	36	5	1
Western	447	164	114	13	12	21	3	1	283	163	70	29	16	4	1
Sixth Circuit	1,114	646	281	104	89	149	16	7	468	182	101	72	106	6	1
Kentucky:															
Eastern	104	40	18	6	7	8	1	0	64	23	16	11	14	0	0
Western	106	65	35	13	8	7	1	1	41	19	7	8	7	0	0
Michigan:															
Eastern	168	107	33	15	17	37	4	1	61	10	7	16	25	2	1
Western	82	37	19	7	2	8	1	0	45	21	3	7	13	1	0
Ohio:															
Northern	137	95	38	12	9	29	4	3	42	20	5	6	11	0	0
Southern	104	73	28	8	10	25	1	1	31	12	7	2	8	2	0
Tennessee:															
Eastern	133	62	30	17	7	7	1	0	71	33	23	10	5	0	0
Middle	157	111	66	16	13	12	3	1	46	23	11	2	9	1	0
Western	123	56	14	10	16	16	0	0	67	21	22	10	14	0	0

See notes at end of table.

Table 5.38

**Length of civil and criminal trials completed in U.S. District Courts**

By circuit and district, fiscal year 2000--Continued

Circuit and district	Total number of trials	Civil trials							Criminal trials						
		Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over	Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over
Seventh Circuit	911	523	211	89	91	124	7	1	388	179	72	54	69	10	4
Illinois:															
Northern	292	185	58	28	40	54	5	0	107	29	18	14	38	7	1
Central	105	78	26	12	16	24	0	0	27	10	8	2	7	0	0
Southern	120	57	31	9	5	10	1	1	63	36	10	10	6	0	1
Indiana:															
Northern	141	55	14	11	11	19	0	0	86	49	13	13	10	1	0
Southern	168	103	70	14	9	9	1	0	65	50	6	6	2	0	1
Wisconsin:															
Eastern	50	21	7	5	5	4	0	0	29	5	10	6	5	2	1
Western	35	24	5	10	5	4	0	0	11	0	7	3	1	0	0
Eighth Circuit	1,064	596	266	95	84	139	9	3	468	219	79	74	81	12	3
Arkansas:															
Eastern	187	116	66	27	13	9	0	1	71	46	9	8	4	2	2
Western	63	44	14	13	11	6	0	0	19	10	4	3	2	0	0
Iowa:															
Northern	71	36	16	4	5	11	0	0	35	12	8	5	10	0	0
Southern	107	31	12	2	6	10	1	0	76	52	8	7	9	0	0
Minnesota	92	49	12	2	4	25	5	1	43	6	0	12	23	2	0
Missouri:															
Eastern	152	99	43	22	8	23	2	1	53	23	9	7	11	3	0
Western	163	99	54	12	15	18	0	0	64	32	15	10	5	1	1
Nebraska	109	72	23	7	14	28	0	0	37	10	6	8	9	4	0
North Dakota	25	9	4	1	2	1	1	0	16	8	4	2	2	0	0
South Dakota	95	41	22	5	6	8	0	0	54	20	16	12	6	0	0
Ninth Circuit	1,987	805	339	103	58	246	55	4	1,182	521	196	155	254	49	7
Alaska	32	11	6	2	0	3	0	0	21	7	3	2	6	3	0
Arizona	238	86	41	16	8	18	3	0	152	74	20	25	31	2	0
California:															
Northern	187	94	26	8	9	39	12	0	93	28	11	8	33	11	2
Eastern	108	55	12	9	2	25	7	0	53	13	6	6	20	5	3
Central	302	161	47	19	8	69	16	2	141	24	16	21	65	15	0
Southern	440	42	17	5	3	14	2	1	398	225	90	44	34	4	1
Hawaii	50	22	8	1	0	7	6	0	28	14	4	2	6	2	0
Idaho	56	35	21	0	4	8	2	0	21	5	6	5	5	0	0
Montana	48	10	3	2	2	3	0	0	38	12	8	9	9	0	0
Nevada	106	55	18	12	4	19	2	0	51	19	11	8	11	1	1
Oregon	117	50	16	12	7	12	2	1	67	39	8	5	14	1	0
Washington:															
Eastern	163	109	95	4	1	8	1	0	54	36	7	5	5	1	0
Western	119	72	27	13	9	21	2	0	47	18	5	13	9	2	0
Guam	17	2	2	0	0	0	0	0	15	7	1	1	5	1	0
Northern Marianas	4	1	0	0	1	0	0	0	3	0	0	1	1	1	0
Tenth Circuit	917	404	158	45	61	123	14	3	513	325	59	55	65	6	3
Colorado	208	96	35	12	10	35	3	1	112	76	10	11	14	1	0
Kansas	185	82	40	6	14	20	2	0	103	75	11	4	11	1	1
New Mexico	131	46	16	7	5	14	4	0	85	53	11	12	8	0	1
Oklahoma:															
Northern	78	39	13	5	9	9	2	1	39	18	8	8	3	1	1
Eastern	71	32	12	7	8	5	0	0	39	23	1	8	7	0	0
Western	104	55	25	4	5	19	1	1	49	29	4	7	8	1	0
Utah	72	23	7	2	5	9	0	0	49	26	13	2	6	2	0
Wyoming	68	31	10	2	5	12	2	0	37	25	1	3	8	0	0
Eleventh Circuit	1,672	847	415	145	97	168	19	3	825	307	148	127	199	34	10
Alabama:															
Northern	166	127	76	24	11	15	1	0	39	16	7	4	11	1	0
Middle	59	38	21	9	4	4	0	0	21	6	7	0	8	0	0
Southern	141	102	81	12	6	3	0	0	39	18	10	7	4	0	0
Florida:															
Northern	138	28	10	5	9	4	0	0	110	55	18	18	14	4	1
Middle	254	104	38	17	15	31	2	1	150	57	28	25	31	8	1
Southern	495	213	79	40	22	60	10	2	282	46	53	49	108	18	8
Georgia:															
Northern	216	116	42	19	17	32	6	0	100	58	14	9	17	2	0
Middle	108	54	21	10	8	15	0	0	54	33	5	11	5	0	0
Southern	95	65	47	9	5	4	0	0	30	18	6	4	1	1	0

Note: This table includes trials conducted by district and appellate judges only. Trials conducted by magistrate judges are excluded. Includes trials of miscellaneous cases, hearings on temporary restraining orders and preliminary injunctions, hearings on contested motions, and other contested proceedings in which evidence is introduced.

Source: Administrative Office of the United States Courts, **Judicial Business of the United States Courts: 2000 Annual Report of the Director** (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 174-176.

Table 5.39

**Median amount of time from filing to disposition of criminal defendants in U.S. District Courts**

By method of disposition, and circuit and district, fiscal year 2000

Circuit and district	Total		Dismissed		Plea of guilty		Court trial		Jury trial	
	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)
Total	75,071	5.9	6,992	5.8	63,863	5.8	1,235	0.1	2,981	10.9
District of Columbia	412	6.8	50	5.5	338	6.7	0	X	24	11.3
First Circuit	1,999	9.7	137	11.8	1,611	10.0	141	1.1	110	15.0
Maine	185	6.0	9	B	164	5.8	3	B	9	B
Massachusetts	593	12.5	31	23.5	534	12.0	3	B	25	17.6
New Hampshire	157	9.7	26	9.0	123	10.1	1	B	7	B
Rhode Island	174	6.4	11	86.4	150	5.8	4	B	9	B
Puerto Rico	890	9.9	60	9.9	640	12.0	130	1.0	60	24.9
Second Circuit	5,141	11.1	162	14.5	4,731	10.5	5	B	243	21.2
Connecticut	268	9.8	21	16.4	233	8.2	1	B	13	19.9
New York:										
Northern	721	7.6	9	B	697	7.5	0	X	15	16.6
Eastern	1,658	11.9	47	16.2	1,534	11.5	0	X	77	20.8
Southern	1,848	12.7	61	17.0	1,673	12.0	2	B	112	21.5
Western	465	7.3	11	34.3	429	6.5	2	B	23	17.8
Vermont	181	11.3	13	9.6	165	11.3	0	X	3	B
Third Circuit	3,650	6.8	292	5.2	3,412	6.6	13	11.2	203	12.8
Delaware	102	6.7	9	B	81	6.3	2	B	10	9.9
New Jersey	1,080	7.4	115	3.2	903	7.4	6	B	56	13.2
Pennsylvania:										
Eastern	931	8.3	33	7.5	832	8.2	0	X	66	10.9
Middle	429	9.2	37	6.7	362	9.0	1	B	29	11.2
Western	347	7.7	40	5.6	284	7.7	3	B	20	12.2
Virgin Islands	761	0.1	58	6.8	680	0.1	1	B	22	18.4
Fourth Circuit	7,962	5.9	1,506	4.7	5,975	5.9	141	2.5	340	9.1
Maryland	1,035	4.7	251	2.4	734	5.6	5	B	45	11.9
North Carolina:										
Eastern	779	5.4	87	3.4	632	5.4	17	2.3	43	12.3
Middle	340	5.7	22	4.2	293	5.7	2	B	23	7.5
Western	757	11.4	48	5.7	682	11.6	0	X	27	12.1
South Carolina	1,031	7.8	124	5.4	871	7.8	2	B	34	11.8
Virginia:										
Eastern	3,013	4.2	883	11.0	1,914	3.7	112	2.3	104	7.2
Western	472	8.7	40	8.7	401	8.5	2	B	29	9.3
West Virginia:										
Northern	236	5.8	33	17.8	192	5.6	0	X	11	13.9
Southern	299	5.6	18	4.9	256	5.5	1	B	24	8.9
Fifth Circuit	13,219	5.0	888	5.1	11,873	4.9	63	5.5	395	7.5
Louisiana:										
Eastern	530	7.7	47	2.0	472	7.9	1	B	10	14.7
Middle	127	7.1	13	0.9	103	7.0	1	B	10	12.4
Western	451	9.2	69	8.9	350	9.2	7	B	25	9.8
Mississippi:										
Northern	154	6.0	13	6.4	130	6.0	2	B	9	B
Southern	361	5.9	35	6.6	312	5.7	0	X	14	7.2
Texas:										
Northern	1,345	5.6	106	5.9	1,185	5.5	3	B	51	8.3
Eastern	636	5.9	53	6.8	520	6.7	0	X	63	10.3
Southern	4,404	4.3	282	2.5	4,001	4.3	12	3.9	109	5.9
Western	5,211	5.0	270	6.3	4,800	4.8	37	5.9	104	7.0
Sixth Circuit	5,072	7.1	571	7.5	4,219	6.9	47	6.6	235	10.5
Kentucky:										
Eastern	592	6.1	56	5.9	498	6.1	1	B	37	9.5
Western	589	4.7	126	3.2	429	4.9	26	4.1	8	B
Michigan:										
Eastern	944	10.0	131	9.5	751	9.8	4	B	58	13.4
Western	406	6.8	46	7.0	332	6.6	3	B	25	8.6
Ohio:										
Northern	784	5.7	40	5.4	727	5.7	3	B	14	14.0
Southern	484	6.8	33	12.1	429	6.6	1	B	21	9.9
Tennessee:										
Eastern	495	7.8	27	5.6	428	7.6	4	B	36	9.5
Middle	249	9.3	27	8.6	202	9.1	2	B	18	12.8
Western	529	8.2	85	11.4	423	8.1	3	B	18	8.5

See notes at end of table.



Table 5.39

**Median amount of time from filing to disposition of criminal defendants in U.S. District Courts**

By method of disposition, and circuit and district, fiscal year 2000--Continued

Circuit and district	Total		Dismissed		Plea of guilty		Court trial		Jury trial	
	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)
Seventh Circuit	2,800	7.7	199	7.2	2,383	7.4	9	B	209	14.2
Illinois:										
Northern	947	10.5	54	16.4	829	9.8	0	X	64	16.0
Central	405	7.5	28	7.3	360	7.5	1	B	16	11.1
Southern	409	6.8	15	7.3	372	6.7	1	B	21	17.2
Indiana:										
Northern	371	7.3	29	9.6	295	6.6	1	B	46	12.5
Southern	268	6.6	36	3.8	201	6.4	2	B	29	16.0
Wisconsin:										
Eastern	270	6.4	22	5.0	227	6.2	4	B	17	9.6
Western	130	5.2	15	4.9	99	5.0	0	X	16	7.3
Eighth Circuit	4,146	6.8	314	4.6	3,636	6.8	20	5.2	176	9.1
Arkansas:										
Eastern	240	8.9	26	8.6	195	8.9	1	B	18	9.8
Western	148	5.7	8	B	127	5.9	2	B	11	6.1
Iowa:										
Northern	283	8.6	12	8.4	247	8.2	1	B	23	12.3
Southern	421	6.6	29	4.2	377	6.6	0	X	15	9.1
Minnesota	500	7.3	25	4.1	433	7.3	5	B	37	10.4
Missouri:										
Eastern	802	5.4	64	4.1	713	5.4	0	X	25	6.1
Western	577	8.7	34	4.6	536	8.8	0	X	7	B
Nebraska	577	7.9	51	5.0	509	8.0	3	B	14	13.2
North Dakota	203	4.7	23	3.2	172	4.9	1	B	7	B
South Dakota	395	5.7	42	4.0	327	5.8	7	B	19	6.1
Ninth Circuit	16,654	5.1	1,618	5.1	14,598	5.0	69	6.3	369	12.0
Alaska	262	4.7	35	2.1	211	4.7	2	B	14	11.0
Arizona	3,785	3.6	246	11.2	3,498	3.3	6	B	35	10.7
California:										
Northern	958	7.7	100	12.5	811	7.3	5	B	42	15.5
Eastern	1,136	5.4	123	10.4	990	5.1	3	B	20	14.8
Central	1,647	8.7	97	7.7	1,452	8.5	14	9.3	84	13.7
Southern	4,191	3.7	203	2.9	3,955	3.7	5	B	28	8.1
Hawaii	515	5.8	81	4.3	416	5.8	4	B	14	19.6
Idaho	199	7.0	26	3.3	145	6.5	7	B	21	9.2
Montana	536	6.7	150	2.0	356	7.5	9	B	21	15.8
Nevada	769	9.6	94	11.6	638	9.4	6	B	31	13.6
Oregon	843	6.3	122	5.4	702	6.3	1	B	18	11.8
Washington:										
Eastern	342	6.0	32	3.7	299	6.0	1	B	10	8.2
Western	1,208	4.4	257	3.6	935	4.6	4	B	12	8.1
Guam	180	6.0	36	2.3	131	6.7	1	B	12	6.8
Northern Marianas	83	5.2	16	5.1	59	5.2	1	B	7	0.0
Tenth Circuit	4,937	5.3	629	6.4	4,165	5.1	13	4.0	130	11.0
Colorado	583	6.2	83	11.2	486	6.0	2	B	12	23.6
Kansas	549	6.7	91	4.7	437	6.8	3	B	18	9.0
New Mexico	1,962	4.3	204	17.3	1,723	3.9	5	B	30	11.6
Oklahoma:										
Northern	244	8.6	34	6.3	193	8.8	1	B	16	11.0
Eastern	88	5.2	9	B	69	5.1	1	B	9	B
Western	608	2.3	91	0.1	493	3.2	0	X	24	11.3
Utah	702	5.2	103	5.3	584	5.0	1	B	14	12.3
Wyoming	201	5.9	14	4.0	180	5.8	0	X	7	B
Eleventh Circuit	9,079	5.5	626	6.9	7,192	5.6	714	0.1	547	10.1
Alabama:										
Northern	543	4.7	81	3.3	437	4.8	4	B	21	8.2
Middle	257	7.0	29	8.8	203	7.0	3	B	22	8.5
Southern	296	7.4	25	14.1	247	7.1	2	B	22	10.0
Florida:										
Northern	487	5.2	20	3.4	400	5.1	8	B	59	6.3
Middle	1,630	6.6	66	22.2	1,450	6.4	11	5.6	103	10.6
Southern	2,492	7.2	126	13.0	2,098	6.7	9	B	259	11.4
Georgia:										
Northern	1,123	5.5	97	8.3	977	5.3	19	8.7	30	11.2
Middle	1,924	0.1	104	10.2	1,141	0.1	657	0.1	22	12.8
Southern	327	4.6	78	2.1	239	4.9	1	B	9	B

Note: Defendants charged in two or more cases that were terminated during the year are reported only once. The data exclude 701 transfers and 1,413 terminations for defendants charged in more than one case during the year. The median is the number that marks the point below which and above which 50% of all cases fall.

<sup>a</sup>Computed on 10 or more defendants only.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 228-230.

Table 5.40

**Felony convictions in State courts**By offense, United States, 1996<sup>a</sup>

Most serious conviction offense	Felony convictions	
	Number	Percent
All offenses	997,970	100%
Violent offenses	167,824	16.8
Murder, nonnegligent manslaughter <sup>b</sup>	11,430	1.1
Murder	8,564	0.9
Nonnegligent manslaughter	2,866	0.3
Rape, sexual assault	30,057	3.0
Rape	13,559	1.4
Other sexual assault	16,498	1.7
Robbery	42,831	4.3
Armed	12,041	1.2
Unarmed	12,155	1.2
Unspecified	18,635	1.9
Aggravated assault	69,522	7.0
Other violent <sup>c</sup>	13,984	1.4
Property offenses	298,631	29.9
Burglary	93,197	9.3
Residential	10,605	1.1
Nonresidential	18,220	1.8
Unspecified	64,371	6.5
Larceny <sup>d</sup>	123,201	12.3
Motor vehicle theft	17,794	1.8
Other theft	105,406	10.6
Fraud, forgery, embezzlement	82,233	8.2
Fraud, embezzlement	41,480	4.2
Forgery	40,753	4.1
Drug offenses	347,774	34.8
Possession	135,270	13.6
Trafficking	212,504	21.3
Marijuana	20,618	2.1
Other	68,985	6.9
Unspecified	122,901	12.3
Weapons offenses	33,337	3.3
Other offenses <sup>e</sup>	150,404	15.1

Note: These data are from the National Judicial Reporting Program (NJRP), a biennial survey of State felony courts. Data were collected by the U.S. Census Bureau for the U.S. Department of Justice, Bureau of Justice Statistics. The 1996 NJRP survey was based on a sample of 344 counties selected to be nationally representative. The 344 counties included 98 that had been in the NJRP sample in the 4 previous surveys (1988, 1990, 1992, 1994). The sample included the District of Columbia and at least one county from every State except, by chance, Delaware, Montana, and Wyoming. Only offenses that State penal codes define as felonies are included. Excluded are Federal courts and State or local courts that did not adjudicate adult felony cases. Data specifying the conviction offense were available for the estimated total of 997,970 convicted felons. These data are estimates derived from a sample and therefore are subject to sampling variation.

For survey sampling procedures and definitions of terms, see [Appendix 11](#).

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>In a small number of cases where it was unclear whether the offense was murder or manslaughter, the case was classified under manslaughter.

<sup>c</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>d</sup>Includes a small number of convictions with unspecified offenses.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 2, Table 1.

Table 5.41

**Felony offenders convicted in State courts**By offense, sex, race, and age, United States, 1996<sup>a</sup>

Most serious conviction offense	Percent of convicted felons who were:													
	Sex						Age							
	Total	Male	Female	White	Black	Other	13 to 19 years	20 to 29 years	30 to 39 years	40 to 49 years	50 to 59 years	60 years and older	Mean (in years)	Median (in years)
All offenses	100%	84%	16%	54%	44%	2%	9%	41%	33%	14%	3%	1%	31	30
Violent offenses	100	92	8	52	46	2	12	42	28	12	4	2	30	28
Murder, nonnegligent manslaughter	100	91	9	44	54	2	14	50	21	10	3	2	29	25
Rape, sexual assault	100	99	1	70	27	3	6	32	31	18	8	5	35	33
Robbery	100	93	7	32	66	2	23	48	23	6	1	(b)	26	24
Aggravated assault	100	89	11	55	43	2	10	43	29	13	3	1	31	29
Other violent <sup>c</sup>	100	90	10	69	29	2	6	40	32	15	4	2	32	31
Property offenses	100	77	23	59	39	2	11	42	32	13	2	1	30	29
Burglary	100	93	7	62	36	2	17	44	28	9	1	(b)	28	26
Larceny, motor vehicle theft	100	77	23	56	41	3	11	40	32	13	3	1	30	29
Fraud, forgery, embezzlement	100	59	41	60	38	1	5	41	35	16	3	1	32	31
Drug offenses	100	83	17	45	53	2	6	40	35	15	3	1	31	30
Possession	100	81	19	49	49	2	4	36	40	17	3	1	32	32
Trafficking	100	84	16	43	56	1	7	44	32	14	3	1	31	29
Weapons offenses	100	96	4	41	58	1	12	46	26	11	3	1	30	27
Other offenses <sup>d</sup>	100	89	11	69	29	2	7	36	36	16	4	1	32	31

Note: See Note, table 5.40. Data on sex were available for 782,079 of the estimated total of 997,970 convicted felons; figures on race for 602,734; and figures on age for 736,117. For survey sampling procedures and definitions of terms, see Appendix 11.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 5, Table 5. Table adapted by SOURCEBOOK staff.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

<sup>c</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>d</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Table 5.42

**Felony convictions in State courts**By offense and method of conviction, United States, 1996<sup>a</sup>

Most serious conviction offense	Trial							
	Total		Jury		Bench		Guilty plea	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All offenses	92,015	9%	37,541	4%	54,474	5%	905,957	91%
Violent offenses	29,319	17	17,671	11	11,648	7	138,508	83
Murder, nonnegligent manslaughter	5,298	46	4,519	40	780	7	6,133	54
Rape, sexual assault	5,568	19	3,414	11	2,154	7	24,489	81
Robbery	6,985	16	4,128	10	2,858	7	35,844	84
Aggravated assault	9,390	14	4,653	7	4,737	7	60,134	86
Other violent <sup>b</sup>	2,077	15	958	7	1,119	8	11,908	85
Property offenses	19,380	6	5,536	2	13,844	5	279,251	94
Burglary	7,282	8	2,705	3	4,577	5	85,915	92
Larceny, motor vehicle theft	7,327	6	2,155	2	5,172	4	115,874	94
Fraud, forgery, embezzlement	4,771	6	676	1	4,095	5	77,462	94
Drug offenses	28,587	8	9,843	3	18,744	5	319,185	92
Possession	12,228	9	2,908	2	9,321	7	123,040	91
Trafficking	16,359	8	6,935	3	9,424	4	196,145	92
Weapons offenses	2,880	9	1,217	4	1,663	5	30,456	91
Other offenses <sup>c</sup>	11,849	8	3,274	2	8,575	6	138,557	92

Note: See Note, table 5.40. Data on type of conviction were available for 629,593 of the estimated total of 997,970 convicted felons. Table figures include estimates for cases missing a designation on method of conviction. For survey sampling procedures and definitions of terms, see Appendix 11.

<sup>c</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 7, Table 9; p. 8, Table 10. Table adapted by SOURCEBOOK staff.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Includes offenses such as negligent manslaughter and kidnapping.

Table 5.43

**Felony sentences imposed by State courts**By offense, United States, 1996<sup>a</sup>

Most serious conviction offense	Total	Percent of felons sentenced to:			Straight probation
		Total	Incarceration	Jail	
All offenses	100%	69%	38%	31%	31%
Violent offenses	100	79	57	22	21
Murder, nonnegligent manslaughter	100	95	92	3	5
Rape, sexual assault	100	79	63	16	21
Robbery	100	87	73	14	13
Aggravated assault	100	72	42	30	28
Other violent <sup>b</sup>	100	73	38	34	27
Property offenses	100	62	34	28	38
Burglary	100	71	45	26	29
Larceny, motor vehicle theft	100	63	31	32	37
Fraud, forgery, embezzlement	100	50	26	24	50
Drug offenses	100	72	35	37	28
Possession	100	70	29	41	30
Trafficking	100	73	39	33	27
Weapons offenses	100	67	40	27	33
Other offenses <sup>c</sup>	100	63	31	32	37

Note: See Note, table 5.40. Data on sentence type were available for 997,906 of the estimated total of 997,970 convicted felons. For persons receiving a combination of sentences, the sentence designation came from the most serious penalty imposed--prison being the most serious, followed by jail, then probation. "Prison" includes sentences to death. "Straight probation" includes probation sentences not combined with a term of incarceration in prison or jail. For survey sampling procedures and definitions of terms, see Appendix 11.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>c</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 2, Table 2.

Table 5.44

**Average and median maximum length of felony sentences imposed by State courts**

By offense, United States, 1996

(In months)

Most serious conviction offense	Maximum sentence length for felons sentenced to:			
	Total	Incarceration	Jail	Straight probation
<b>Average sentence</b>				
All offenses	38	62	6	41
Violent offenses	78	105	7	48
Murder, nonnegligent manslaughter	249	257	8	72
Rape, sexual assault	98	120	8	66
Robbery	87	101	10	52
Aggravated assault	43	69	6	41
Other violent <sup>a</sup>	34	59	6	44
Property offenses	30	49	6	40
Burglary	41	60	6	46
Larceny, motor vehicle theft	22	40	6	38
Fraud, forgery, embezzlement	24	43	5	39
Drug offenses	28	51	6	42
Possession	20	41	5	37
Trafficking	34	55	7	45
Weapons offenses	29	45	5	35
Other offenses <sup>b</sup>	24	42	6	40
<b>Median sentence</b>				
All offenses	16	36	6	36
Violent offenses	38	60	6	36
Murder, nonnegligent manslaughter	288	300	8	60
Rape, sexual assault	60	72	6	60
Robbery	60	72	9	60
Aggravated assault	23	48	6	36
Other violent <sup>a</sup>	12	36	6	36
Property offenses	13	36	6	36
Burglary	24	48	6	36
Larceny, motor vehicle theft	12	24	6	36
Fraud, forgery, embezzlement	12	30	4	36
Drug offenses	12	36	6	36
Possession	9	24	5	36
Trafficking	16	36	6	36
Weapons offenses	16	30	4	36
Other offenses <sup>b</sup>	12	32	5	36

Note: See Notes, tables 5.40 and 5.43. The median sentence is the sentence length that marks the point below which and above which 50% of all sentence lengths fall. Averages exclude sentences to death or to life in prison. Sentence length data were available for 997,906 incarceration and probation sentences. For survey sampling procedures and definitions of terms, see Appendix 11.

<sup>a</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>b</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 3.

Table 5.45

**Felons sentenced to additional penalties by State courts**

By offense and type of penalty, United States, 1996

Most serious conviction offense	Fine	Restitution	Treatment	Community service	Other
All offenses	20%	14%	6%	6%	3%
Violent offenses	14	12	5	4	3
Murder, nonnegligent manslaughter	8	9	1	1	2
Rape, sexual assault	13	9	8	3	4
Robbery	8	11	3	2	2
Aggravated assault	19	14	5	6	4
Other violent <sup>a</sup>	18	13	6	6	4
Property offenses	20	25	4	7	4
Burglary	17	21	4	6	3
Larceny, motor vehicle theft	20	22	5	6	5
Fraud, forgery, embezzlement	24	32	4	10	3
Drug offenses	22	7	7	6	2
Possession	19	7	10	6	3
Trafficking	23	6	5	6	2
Weapons offenses	16	6	3	4	2
Other offenses <sup>b</sup>	25	12	7	6	4

Note: See Note, table 5.40. Additional penalties are penalties imposed in addition to the primary penalty of jail, prison, or probation. Examples of penalties in the category "other" are community control, house arrest, work release, drug testing, and loss of driver's license. Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. Persons receiving more than one type of additional penalty appear under more than one penalty heading. Data on additional penalties were available for all 997,970 estimated total cases. For survey sampling procedures and definitions of terms, see Appendix 11.

<sup>a</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>b</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 9.

Table 5.46

**Average and median number of days between arrest and sentencing for felony cases disposed by State courts**

By offense and method of conviction, United States, 1996

(In days)

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by:				
	Total	Trial			Guilty plea
		Total	Jury	Bench	
<u>Average number of days</u>					
All offenses	219	267	355	202	235
Violent offenses	252	321	382	215	259
Murder, nonnegligent manslaughter	396	430	447	268	360
Rape, sexual assault	289	320	370	248	283
Robbery	239	290	333	202	238
Aggravated assault	228	291	360	209	252
Other violent <sup>a</sup>	218	265	436	175	252
Property offenses	213	234	334	196	231
Burglary	211	247	319	197	234
Larceny, motor vehicle theft	205	240	346	203	230
Fraud, forgery, embezzlement	227	213	363	188	231
Drug offenses	209	259	326	212	229
Possession	204	216	312	181	221
Trafficking	211	285	330	238	232
Weapons offenses	217	276	372	188	236
Other offenses <sup>b</sup>	219	224	323	187	230
<u>Median number of days</u>					
All offenses	149	211	293	154	164
Violent offenses	184	263	315	181	188
Murder, nonnegligent manslaughter	327	363	377	191	282
Rape, sexual assault	220	279	307	192	209
Robbery	176	239	284	188	174
Aggravated assault	165	247	295	181	178
Other violent <sup>a</sup>	161	197	306	148	194
Property offenses	142	182	281	154	156
Burglary	139	202	267	165	158
Larceny, motor vehicle theft	135	193	287	164	153
Fraud, forgery, embezzlement	154	147	342	123	156
Drug offenses	136	202	264	155	159
Possession	129	170	262	142	163
Trafficking	139	227	264	168	157
Weapons offenses	148	232	300	163	161
Other offenses <sup>b</sup>	157	162	255	128	167

Note: See Note, table 5.40. The median marks the point below which and above which 50% of all cases fall. The grand total column includes all cases, whether or not conviction type was known. Data on time to dispose of felonies were available for 521,919 of the estimated total of 997,970 convicted felons. For survey sampling procedures and definitions of terms, see Appendix 11.

<sup>a</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>b</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 8, Table 11.

Table 5.47

**Arrest offense of felony defendants in the 75 largest counties**United States, 1996<sup>a</sup>

Most serious arrest charge	Felony defendants	
	Number	Percent
All offenses	54,335	100%
Violent offenses	13,434	24.7
Murder	465	0.9
Rape	788	1.5
Robbery	3,880	7.1
Assault	6,184	11.4
Other violent	2,117	3.9
Property offenses	16,710	30.8
Burglary	4,407	8.1
Theft	6,706	12.3
Other property	5,597	10.3
Drug offenses	19,986	36.8
Trafficking	10,075	18.5
Other drug	9,912	18.2
Public-order offenses	4,205	7.7
Weapons	1,524	2.8
Driving-related	1,484	2.7
Other public-order	1,197	2.2

Note: These data were collected by the Pretrial Services Resource Center for the U.S. Department of Justice, Bureau of Justice Statistics as part of the State Court Processing Statistics program. The data are based on a sample of 40 of the 75 most populous counties in the United States and a sample of felony defendants in each of the 40 counties. The sample was designed and selected by the U.S. Bureau of the Census. Data presented are based on 15,474 sample felony cases collected from the 40 sampled jurisdictions. These cases represent 54,579 weighted cases filed in the 75 counties in May 1996. These data are estimates derived from a sample and therefore are subject to sampling variation.

Data for the specific arrest charge were available for 99.6% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 2.

Table 5.48

**Characteristics of felony defendants in the 75 largest counties**By arrest charge, United States, 1996<sup>a</sup>

Most serious arrest charge	Sex				Race					Age								
	Number of de-fendants	Total	Male	Female	Number of de-fendants	Total	White	Black	Other	Number of de-fendants	Total	Under 18 years	18 to 20	21 to 24	25 to 29	30 to 34	35 to 39	40 years and older
All offenses	54,296	100%	84%	16%	48,728	100%	40%	58%	2%	54,287	100%	4%	15%	15%	18%	17%	13%	18%
Violent offenses	13,427	100	88	12	12,116	100	36	61	3	13,421	100	7	16	15	17	16	11	17
Murder	462	100	96	4	379	100	35	63	2	465	100	10	22	20	14	12	8	14
Rape	788	100	100	0	737	100	38	56	7	788	100	7	11	17	19	19	8	19
Robbery	3,880	100	93	7	3,426	100	28	69	3	3,875	100	15	23	16	16	13	8	10
Assault	6,184	100	82	18	5,673	100	36	61	3	6,181	100	4	14	14	17	17	14	20
Other violent	2,114	100	87	13	1,901	100	49	47	4	2,112	100	4	8	15	16	19	13	25
Property offenses	16,694	100	79	21	15,215	100	43	54	3	16,696	100	4	16	15	18	18	13	16
Burglary	4,404	100	91	9	3,948	100	45	52	3	4,401	100	3	17	14	17	20	13	15
Theft	6,696	100	78	22	6,140	100	42	55	3	6,704	100	4	18	14	17	17	14	16
Other property	5,594	100	71	29	5,127	100	43	55	2	5,591	100	4	13	17	20	17	13	17
Drug offenses	19,969	100	84	16	17,624	100	37	61	1	19,968	100	3	15	16	17	17	15	18
Trafficking	10,063	100	85	15	8,956	100	35	63	2	10,075	100	3	17	17	17	15	14	17
Other drug	9,906	100	82	18	8,668	100	40	59	1	9,893	100	3	12	14	17	18	16	19
Public-order offenses	4,205	100	91	9	3,773	100	51	47	2	4,203	100	2	11	14	20	17	14	22
Weapons	1,524	100	95	5	1,375	100	35	64	1	1,524	100	4	19	20	21	14	9	15
Driving-related	1,484	100	95	5	1,294	100	66	32	2	1,481	100	0	4	9	20	23	16	27
Other public-order	1,197	100	81	19	1,103	100	54	44	2	1,197	100	1	8	14	20	15	17	24

Note: See Note, table 5.47. Data on sex of defendants were available for 99.9% of all cases; data on race, 90%; and data on age, 99.5%. Without consideration of Hispanic origin, U.S. Census Bureau data for 1996 indicate that the racial distribution of the population of the 75 largest counties was 75% white, 17% black, and 7% other races. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 4, Table 3 and p. 5, Table 5. Table adapted by SOURCEBOOK staff.

Table 5.49

**Prior felony convictions of felony defendants in the 75 largest counties**By arrest charge, United States, 1996<sup>a</sup>

		Percent of felony defendants								
Most serious current arrest charge	Number of defendants	Without prior felony conviction				With prior felony conviction				
		Total	Nonfelony		No prior convictions	Total	Number of prior felony convictions			
			Total	only			1	2 to 4	5 to 9	10 or more
All offenses	50,557	100%	60%	19%	41%	40%	16%	18%	4%	2%
Violent offenses	12,468	100	65	19	46	35	14	15	4	2
Murder	389	100	64	16	48	36	15	14	3	4
Rape	714	100	71	18	54	29	14	13	2	(b)
Robbery	3,598	100	60	18	42	40	15	19	4	2
Assault	5,802	100	66	18	48	34	14	15	3	2
Other violent	1,965	100	69	24	44	31	12	12	4	2
Property offenses	15,716	100	60	17	43	40	15	17	6	2
Burglary	4,183	100	51	19	32	49	17	22	8	2
Theft	6,315	100	58	16	42	42	15	18	7	2
Other property	5,218	100	70	18	52	30	13	12	3	2
Drug offenses	18,651	100	57	19	38	43	17	20	4	2
Trafficking	9,396	100	57	19	38	43	17	19	4	2
Other drug	9,255	100	56	19	37	44	17	20	4	2
Public-order offenses	3,722	100	58	21	38	42	18	18	3	2
Weapons	1,401	100	54	14	39	46	21	20	3	3
Driving-related	1,215	100	62	31	31	38	16	18	1	3
Other public-order	1,106	100	60	18	42	40	17	16	5	2

Note: See Note, table 5.47. Data on number of prior felony convictions were available for 93% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 13.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

Table 5.50

**Felony defendants released before or detained until case disposition in the 75 largest counties**By arrest charge, United States, 1996<sup>a</sup>

Most serious arrest charge	Number of defendants	Percent of felony defendants		
		Total	Released before case disposition	Detained until case disposition
All offenses	51,234	100%	63%	37%
Violent offenses	12,589	100	55	45
Murder	412	100	16	84
Rape	750	100	51	49
Robbery	3,686	100	39	61
Assault	5,776	100	66	34
Other violent	1,965	100	63	37
Property offenses	15,592	100	65	35
Burglary	4,154	100	47	53
Theft	6,246	100	66	34
Other property	5,192	100	77	23
Drug offenses	19,050	100	66	34
Trafficking	9,643	100	62	38
Other drug	9,407	100	71	29
Public-order offenses	4,003	100	71	29
Weapons	1,482	100	69	31
Driving-related	1,420	100	78	22
Other public-order	1,101	100	66	34

Note: See Note, table 5.47. Data on detention/release outcome were available for 94% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 16.

Table 5.51

**Type of pretrial release or detention of felony defendants in the 75 largest counties**By arrest charge, United States, 1996<sup>a</sup>

Percent of felony defendants												
Most serious arrest charge	Released before case disposition										Detained until case disposition	
	Financial release					Nonfinancial release						
	Total financial	Surety bond	Deposit bond	Full cash bond	Property bond	Total non-financial	Recognition	Conditional	Unsecured	Emergency release	Held on bail	Denied bail
All offenses	29%	18%	7%	2%	2%	34%	24%	6%	4%	1%	30%	6%
Violent offenses	29	19	6	2	2	26	19	5	1	(b)	35	10
Murder	16	7	4	0	5	5	0	4	1	0	23	61
Rape	31	13	9	4	4	22	14	7	1	0	37	12
Robbery	18	11	4	1	2	25	21	3	1	(b)	48	13
Assault	37	25	8	2	2	28	22	5	2	(b)	29	5
Other violent	28	20	5	2	2	28	18	9	2	0	33	4
Property offenses	28	17	7	2	2	36	24	7	5	1	30	5
Burglary	22	14	5	2	2	24	15	6	3	1	47	6
Theft	31	20	6	3	2	36	22	10	5	1	29	5
Other property	28	16	8	2	2	45	34	5	7	1	19	4
Drug offenses	28	18	7	1	2	37	25	5	6	1	29	5
Trafficking	30	21	7	1	1	31	23	5	2	1	32	6
Other drug	26	15	7	2	2	42	27	5	9	1	25	4
Public-order offenses	31	18	9	3	1	40	29	6	5	(b)	22	7
Weapons	32	14	13	3	2	32	18	4	10	(b)	26	5
Driving-related	30	20	5	3	2	41	31	7	2	0	16	5
Other public-order	21	14	6	1	(b)	34	28	5	1	0	23	12

Note: See Note, table 5.47. Data on type of pretrial release or detention were available for 90% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 17.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

Table 5.52

**Released felony defendants charged with misconduct and rearrested in the 75 largest counties**By arrest charge, United States, 1996<sup>a</sup>

Most serious arrest charge	Felony defendants released prior to case disposition		Percent rearrested		
	Number	Percent charged with misconduct <sup>b</sup>	Percent rearrested		
			Total	Felony	Misdemeanor
All offenses	32,503	31%	16%	10%	6%
Violent offenses	6,936	23	13	7	6
Murder	67	18	6	6	0
Rape	379	12	8	3	5
Robbery	1,443	34	22	13	9
Assault	3,810	21	11	6	5
Other violent	1,237	21	10	4	6
Property offenses	10,069	29	14	9	5
Burglary	1,947	35	17	10	8
Theft	4,132	32	16	11	6
Other property	3,989	25	11	7	4
Drug offenses	12,642	39	20	13	7
Trafficking	5,932	40	23	15	8
Other drug	6,710	38	18	11	7
Public-order offenses	2,857	24	12	8	4
Weapons	1,021	23	12	6	6
Driving-related	1,114	25	12	10	2
Other public-order	722	21	12	6	6

Note: See Note, table 5.47. Data were collected for up to 1 year; misconduct and rearrests occurring after the end of the 1-year study period are not included in the table. Rearrest data were available for 97% of the 32,503 released defendants; therefore, figures for "percent rearrested" are based on 31,508 released defendants. Information on rearrests occurring in jurisdictions other than the one granting the pretrial release was not always available. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Misconduct included failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 21, Table 19 and p. 22, Table 21. Table adapted by SOURCEBOOK staff.



Table 5.53

**Adjudication outcome for felony defendants in the 75 largest counties**By arrest charge, United States, 1996<sup>a</sup>

		Percent of felony defendants										
Most serious arrest charge	Number of defendants	Convicted							Not convicted			Other outcome <sup>b</sup>
		Total convicted	Felony			Misdemeanor						
			Total	Plea	Trial	Total	Plea	Trial	Total	Dismissed	Acquitted	
All offenses	45,744	70%	55%	52%	4%	15%	14%	1%	30%	29%	1%	(c)
Violent offenses	11,126	60	44	39	5	16	15	1	39	38	2	1%
Murder	184	64	62	32	29	2	2	0	36	31	5	0
Rape	633	62	57	50	7	5	4	(c)	37	36	1	1
Robbery	3,236	70	57	51	6	13	13	(c)	29	28	1	1
Assault	5,260	53	33	29	4	20	18	1	47	45	2	(c)
Other violent	1,813	63	47	44	3	16	15	1	37	35	2	0
Property offenses	14,493	72	55	52	3	17	16	(c)	28	27	1	(c)
Burglary	3,936	75	62	58	5	13	12	1	24	22	2	(c)
Theft	5,726	71	55	52	3	15	15	(c)	29	28	1	(c)
Other property	4,832	71	50	48	2	21	21	(c)	29	29	(c)	(c)
Drug offenses	16,386	74	63	61	3	10	10	(c)	26	25	1	(c)
Trafficking	8,490	78	68	64	4	11	10	1	21	20	1	(c)
Other drug	7,896	68	59	57	2	10	10	(c)	31	30	1	(c)
Public-order offenses	3,739	74	53	50	3	21	21	(c)	25	24	1	(c)
Weapons	1,320	73	59	55	4	13	12	1	27	25	2	(c)
Driving-related	1,351	80	61	58	3	20	20	0	20	18	1	(c)
Other public-order	1,067	69	37	34	2	32	32	(c)	31	29	1	(c)

Note: See Note, table 5.47. Fourteen percent of all cases were still pending adjudication at the end of the 1-year study period and are excluded from the table. Data on adjudication outcome were available for 98% of those cases that had been adjudicated. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 24, Table 23.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Includes diversion and deferred adjudication.

<sup>c</sup>Less than 0.5%.

Table 5.54

**Conviction offense of felony defendants in the 75 largest counties**

United States, 1996

Most serious conviction offense	Felony defendants	
	Number	Percent
All offenses	31,943	100%
All felonies	25,454	79.7
Violent offenses	4,339	13.6
Murder	74	0.2
Rape	257	0.8
Robbery	1,442	4.5
Assault	1,554	4.9
Other violent	1,031	3.2
Property offenses	8,237	25.8
Burglary	2,165	6.7
Theft	3,230	10.1
Other property	2,866	8.9
Drug offenses	10,298	32.2
Trafficking	5,194	16.2
Other drug	5,100	16.0
Public-order offenses	2,437	7.6
Weapons	1,015	3.1
Driving-related	897	2.8
Other public-order	540	1.7
Other felonies	143	0.4
Misdemeanors <sup>a</sup>	6,488	20.3

Note: See Note, table 5.47. Data on conviction offense were available for 100% of cases involving defendants who had been convicted. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Comprised of defendants with a felony arrest charge who were convicted of a misdemeanor.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 27.

Table 5.55

**Type of sentence received by convicted defendants in the 75 largest counties**By conviction offense, United States, 1996<sup>a</sup>

Most serious conviction offense	Number of defendants	Percent of convicted defendants sentenced to:						
		Total	Incarceration			Nonincarceration		
			Total	Prison	Jail	Total	Probation	Fine
All offenses	28,775	100%	67%	30%	37%	33%	31%	2%
All felonies	24,229	100	69	35	34	31	30	1
Violent offenses	4,073	100	80	51	29	20	20	(b)
Murder	66	100	100	100	0	0	X	X
Rape	243	100	77	56	21	23	23	0
Robbery	1,307	100	90	71	19	10	10	(b)
Assault	1,455	100	73	40	33	27	26	(b)
Other violent	1,002	100	76	36	40	24	24	0
Property offenses	7,943	100	62	30	32	38	38	(b)
Burglary	2,093	100	74	43	31	26	25	1
Theft	3,121	100	66	32	34	34	34	(b)
Other property	2,728	100	48	17	31	52	52	1
Drug offenses	9,761	100	72	34	38	28	28	1
Trafficking	4,915	100	78	44	34	22	22	(b)
Other drug	4,846	100	65	23	42	35	34	1
Public-order offenses	2,317	100	69	34	35	31	29	2
Weapons	962	100	64	37	27	36	34	2
Driving-related	850	100	75	35	40	25	21	3
Other public-order	506	100	66	27	40	34	32	1
Misdemeanors <sup>c</sup>	4,547	100	57	3	54	43	36	7

Note: See Note, table 5.47. Data on type of sentence were available for 90% of cases involving defendants who had been convicted. Sixty-seven percent of jail sentences and 5% of prison sentences included a probation term. Twenty-three percent of prison sentences, 31% of jail sentences, and 29% of probation sentences included a fine. Fines may have included restitution or community service. Total for all felonies includes cases that could not be classified into one of the four major offense categories. The "prison" category includes seven defendants who received a death sentence. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

<sup>c</sup>Comprised of defendants with a felony arrest charge who were convicted of a misdemeanor.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 30.

Table 5.56

**Length of prison sentence received by felony defendants in the 75 largest counties**By conviction offense, United States, 1996<sup>a</sup>

Most serious felony conviction offense	Number of defendants	Felony defendants sentenced to prison								
		Number of months		Percent receiving a maximum sentence length in months of:						
		Mean <sup>b</sup>	Median	Total	1 to 24	25 to 48	49 to 72	73 to 120	Over 120 <sup>b</sup>	Life
All offenses	8,502	58	36	100%	35%	32%	15%	11%	7%	1%
Violent offenses	2,051	93	60	100	18	27	19	18	16	2
Murder	51	435	360	100	0	0	0	8	69	23
Rape	131	132	96	100	2	19	18	30	28	3
Robbery	926	94	60	100	12	26	21	22	18	1
Assault	581	67	48	100	24	30	18	15	10	2
Other violent	362	69	44	100	31	34	16	11	9	1
Property offenses	2,346	50	36	100	42	31	12	10	4	(c)
Burglary	902	65	41	100	33	30	12	16	9	(c)
Theft	988	39	24	100	52	26	14	6	2	0
Other property	456	41	36	100	38	44	8	7	1	1
Drug offenses	3,271	47	36	100	35	36	17	9	3	(c)
Trafficking	2,156	54	42	100	23	40	21	11	4	(c)
Other drug	1,115	33	24	100	59	27	8	4	2	1
Public-order offenses	783	34	24	100	50	35	10	3	1	1
Weapons	357	37	32	100	42	41	10	2	1	3
Driving-related	292	30	24	100	60	28	8	4	0	0
Other public-order	134	33	30	100	49	33	15	3	0	0

Note: See Note, table 5.47. Data on length of prison sentence were available for 99% of all cases in which a defendant received a prison sentence. Five percent of prison sentences included a probation term and 23% included a fine. Total for all offenses includes cases that could not be classified into one of the four major offense categories. For methodology, definitions of terms, and crimes within offense categories, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Excludes life sentences.

<sup>c</sup>Less than 0.5%.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1996*, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), p. 32.

Table 5.57

**Characteristics of juvenile offenders in cases disposed by juvenile courts**By type of offense, United States, 1998<sup>a</sup>

	All offenses (N=1,757,404)	Type of offense			
		Person (N=403,786)	Property (N=797,586)	Drug (N=192,521)	Public-order (N=363,511)
Total	100%	100%	100%	100%	100%
<b>Sex</b>					
Male	75.9	72.4	75.9	84.1	75.2
Female	24.1	27.6	24.1	15.9	24.8
<b>Race</b>					
White	67.4	62.0	70.0	68.3	67.6
Black	28.9	35.1	25.8	29.1	29.0
Other <sup>b</sup>	3.6	3.0	4.3	2.6	3.5
<b>Age at referral to court</b>					
11 years and younger	5.2	7.1	6.4	0.6	2.6
12 years	5.3	6.9	6.1	1.6	3.8
13 years	10.2	12.1	11.3	5.1	8.5
14 years	15.8	16.9	16.6	11.4	14.8
15 years	21.4	20.9	21.1	21.5	22.7
16 years	23.4	20.9	21.9	30.9	25.6
17 years and older	18.7	15.2	16.4	29.0	22.1

Note: These data were collected by the National Center for Juvenile Justice (NCJJ) for the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. The data are gathered from courts with juvenile jurisdiction in participating States. Information reported is based on national estimates of delinquency cases disposed by juvenile courts in the United States during 1998 (N=1,757,404). The final sample included data reported by 1,998 jurisdictions in 35 States covering 70% of the Nation's youth population. These data were derived from a nonprobability sample of courts; therefore statistical confidence in the estimates cannot be determined. A case disposed refers to a definite action having been taken as the result of a referral to juvenile court, i.e., a plan of treatment was selected or initiated. These data files were developed by NCJJ and originally analyzed for the Juvenile Court Statistics series. For methodology, definitions of terms, and offenses within categories, see Appendix 13.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1988-1998" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2001. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs98/> [July 26, 2001]. Table constructed by SOURCEBOOK staff.

Table 5.58

**Type of offense in cases disposed by juvenile courts**By characteristics of juvenile offenders, United States, 1998<sup>a</sup>

By characteristics of juvenile offenders, United States, 1996							Age at referral to court						
Type of offense	All offenses	Sex		Race			11 years and younger	12 years	13 years	14 years	15 years	16 years	17 years and older
		Male	Female	White	Black	Other <sup>b</sup>							
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Person	23.0	21.9	26.2	21.1	27.9	18.8	31.6	29.8	27.2	24.7	22.4	20.5	18.7
Property	45.4	45.4	45.3	47.1	40.4	53.5	56.6	52.2	50.2	47.9	44.8	42.5	39.9
Drug	11.0	12.1	7.2	11.1	11.0	7.8	1.3	3.2	5.4	7.9	11.0	14.4	17.0
Public-order	20.7	20.5	21.2	20.7	20.7	19.9	10.5	14.7	17.1	19.5	21.9	22.6	24.4

Note: See Note, table 5.57. For methodology, definitions of terms, and offenses within categories, see Appendix 13.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1988-1998" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2001. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs98/> [July 26, 2001]. Table constructed by SOURCEBOOK staff.

Table 5.59

**Juvenile court case outcomes**

By characteristics of juvenile offenders and type of offense, United States, 1998

	Delinquency cases		Petitioned cases		Cases adjudicated delinquent				Nonadjudicated cases <sup>a</sup>			
	Detained prior to juvenile court disposition	Petitioned	Adjudicated delinquent	Transferred/ waived to adult court	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>
Total	18.6%	56.9%	63.4%	0.8%	25.8%	57.7%	5.2%	11.2%	1.1%	26.7%	50.6%	20.9%
<b>Sex</b>												
Male	20.0	59.8	64.1	0.9	27.3	56.5	5.1	11.0	1.4	26.1	51.6	20.0
Female	14.3	47.8	60.5	B	19.6	62.7	5.6	12.1	0.6	28.3	47.8	23.2
<b>Race</b>												
White	16.8	53.8	65.0	0.7	24.1	58.0	5.0	12.9	1.1	28.3	48.1	21.9
Black	22.8	64.9	60.0	1.0	29.5	57.2	5.8	7.5	1.3	23.9	55.3	18.4
Other <sup>c</sup>	20.6	51.9	66.2	B	25.3	56.9	B	13.5	B	16.9	61.1	21.0
<b>Age at referral to court</b>												
11 years and younger	6.1	34.2	55.2	B	11.4	67.6	8.3	12.7	B	31.3	50.6	18.0
12 years	12.0	45.6	63.3	B	18.7	66.4	5.0	9.9	B	32.3	47.7	19.6
13 years	15.8	51.5	65.3	B	23.1	63.0	4.6	9.3	B	30.9	48.8	19.5
14 years	18.2	56.7	66.0	B	26.4	60.1	4.4	9.1	1.0	28.8	49.6	20.6
15 years	20.5	59.9	65.5	B	27.6	57.9	4.9	9.5	1.3	26.8	51.0	20.5
16 years	20.9	59.8	63.9	1.0	28.0	55.5	5.2	11.3	1.6	25.3	50.4	21.8
17 years and older	21.0	62.5	58.9	2.2	25.4	52.5	6.2	15.9	1.4	20.5	53.2	22.7
<b>Type of offense</b>												
Person	22.0	58.6	60.8	1.2	27.3	57.7	5.7	9.2	1.0	26.5	55.7	15.7
Property	14.6	53.0	64.9	0.8	24.4	59.4	4.4	11.8	0.9	28.9	46.0	23.7
Drug	22.7	62.9	63.4	1.1	23.2	58.8	7.0	11.0	1.1	28.9	48.7	20.2
Public-order	21.6	60.5	63.2	B	28.5	54.0	5.4	12.1	2.1	20.4	56.5	20.8

Note: See Note, table 5.57. For methodology, definitions of terms, and offenses within categories, see Appendix 13.

<sup>a</sup>Includes petitioned cases that were not adjudicated delinquent and nonpetitioned cases.

<sup>b</sup>Includes dispositions such as fines, restitution, community service, and referrals outside the court for services with minimal or no further court involvement anticipated.

<sup>c</sup>Includes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1988-1998" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2001. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs98/> [July 26, 2001]. Table constructed by SOURCEBOOK staff.

Table 5.60

**Juvenile court case outcomes**

By type of offense and race of juvenile offender, United States, 1998

Type of offense and race of offender	Delinquency cases		Petitioned cases		Cases adjudicated delinquent				Nonadjudicated cases <sup>a</sup>			
	Detained prior to juvenile court disposition	Petitioned	Adjudicated delinquent	Transferred/ waived to adult court	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>
<b>Person</b>												
White	20.5%	54.8%	62.5%	1.1%	26.6%	57.9%	5.3%	10.2%	0.8%	28.9%	53.8%	15.6%
Black	24.0	65.4	58.0	1.4	28.3	57.7	6.4	7.6	1.4	22.9	58.7	15.6
<b>Property</b>												
White	12.8	51.0	66.5	0.8	23.2	59.2	4.2	13.4	0.9	30.2	44.0	24.3
Black	19.5	59.3	61.2	B	27.5	60.2	5.0	7.3	0.9	26.9	49.4	22.1
<b>Drug</b>												
White	17.8	55.5	65.2	B	17.5	63.0	6.3	13.3	B	32.3	44.3	22.2
Black	34.6	81.1	60.0	B	33.5	51.3	8.3	6.8	B	20.2	60.2	14.4
<b>Public-order</b>												
White	21.4	58.1	64.3	B	27.1	53.2	5.7	14.0	2.3	20.7	54.2	22.6
Black	21.3	66.5	60.7	B	31.9	55.3	4.9	7.9	1.8	20.8	60.5	16.5

Note: See Note, table 5.57. For methodology, definitions of terms, and offenses within categories, see Appendix 13.

<sup>a</sup>Includes petitioned cases that were not adjudicated delinquent and nonpetitioned cases.

<sup>b</sup>Includes dispositions such as fines, restitution, community service, and referrals outside the court for services with minimal or no further court involvement anticipated.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1988-1998" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2001. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs98/> [July 26, 2001]. Table constructed by SOURCEBOOK staff.

Table 5.61

**Petitions filed in U.S. District Courts by Federal and State prisoners**

By type of petition, 1977-2000

	Petitions by Federal prisoners							Petitions by State prisoners				
	Total	Total	Motions to vacate sentence	Habeas corpus	Mandamus, etc.	Civil rights	Prison conditions	Total	Habeas corpus	Mandamus, etc.	Civil rights	Prison conditions
1977	19,537	4,691	1,921	1,745	542	483	X	14,846	6,866	228	7,752	X
1978	21,924	4,955	1,924	1,851	544	636	X	16,969	7,033	206	9,730	X
1979	23,001	4,499	1,907	1,664	340	588	X	18,502	7,123	184	11,195	X
1980	23,287	3,713	1,322	1,465	323	603	X	19,574	7,031	146	12,397	X
1981	27,711	4,104	1,248	1,680	342	834	X	23,607	7,790	178	15,639	X
1982	29,303	4,328	1,186	1,927	381	834	X	24,975	8,059	175	16,741	X
1983	30,775	4,354	1,311	1,914	339	790	X	26,421	8,532	202	17,687	X
1984	31,107	4,526	1,427	1,905	372	822	X	26,581	8,349	198	18,034	X
1985	33,468	6,262	1,527	3,405	373	957	X	27,206	8,534	181	18,491	X
1986	33,765	4,432	1,556	1,679	427	770	X	29,333	9,045	216	20,072	X
1987	37,316	4,519	1,669	1,812	313	725	X	32,797 <sup>a</sup>	9,542	276	22,972	X
1988	38,839	5,130	2,071	1,867	330	862	X	33,709	9,880	270	23,559	X
1989	41,481	5,577	2,526	1,818	315	918	X	35,904	10,554	311	25,039	X
1990	42,630	6,611	2,970	1,967	525	1,149	X	36,019	10,823	353	24,843	X
1991	42,462	6,817	3,328	2,112	378	999	X	35,645	10,331	268	25,046	X
1992	48,423	6,997	3,983	1,507	597	910	X	41,426	11,299	481	29,646	X
1993	53,451	8,456	5,379	1,467	695	915	X	44,995	11,587	390	33,018	X
1994	57,940	7,700	4,628	1,441	491	1,140	X	50,240	11,918	397	37,925	X
1995	63,550	8,951	5,988	1,343	510	1,110	X	54,599	13,632	398	40,569	X
1996	68,235	13,095	9,729	1,703	444	1,219	X	55,140	14,726	418	39,996	X
1997	62,966	14,952	11,675	1,902	401	974	X	48,014	19,956	397	27,661	X
1998	54,715	9,937	6,287	2,321	346	641	342	44,778	18,838	461	13,115	12,364
1999	56,603	10,859	5,752	3,590	555	642	320	45,744	20,493	513	13,441	11,291
2000	58,257	11,880	6,341	3,870	628	736	305	46,377	21,349	564	13,415	11,049
Percent change 1999 to 2000	2.9%	9.4%	10.2%	7.8%	13.2%	14.6%	-4.7%	1.4%	4.2%	9.9%	-0.2%	-2.1%

Note: Petitions by Federal prisoners are suits brought against the Federal Government. Petitions by State prisoners are those petitions in which the State or its representative(s) is (are) named as the defendant(s). "Habeas corpus" is a writ whose object is to bring a party before a court or a judge. "Mandamus" is a writ from a superior court to an inferior court or to a public official, a corporation, etc., directing that a specified action be taken. Data for 1977-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 149; 1986, p. 176; 1995, p. 139; 1998, p. 143; 1999, p. 137 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1987, p. 179; 1988, p. 182; 1989, p. 178; 1990, p. 138; 1991, p. 191; 1992, p. 179; 1993, p. A1-55; 1994, Table C-2; 1996, p. 136; 1997, p. 129 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), p.136. Table adapted by SOURCEBOOK staff.

<sup>a</sup>Includes 7 motions to vacate sentence.

Table 5.62

**Appeals commenced, terminated, and pending, and judgeships authorized in U.S. Courts of Appeals**

1982-2000

	Appeals commenced		Terminated	Pending	Judgeships authorized
	Number	Cases per three-judge panel			
1982	27,946	635	27,984	21,510	132
1983	29,630	673	28,660	22,480	132
1984	31,490	716	31,185	22,785	132
1985	33,360	642	31,387	24,758	156
1986	34,292	659	33,774	25,276	156
1987	35,176	676	34,444	26,008	156
1988	38,239	737	36,213	28,273	156
1989	39,900	767	37,509	30,614	156
1990	40,858	786	38,790	32,299	156
1991	43,027	773	41,640	33,428	167
1992	47,013	845	44,373	35,799	167
1993	50,224	902	47,790	38,156	167
1994	48,322	868	49,184	37,269	167
1995	50,072	899	49,805	37,310	167
1996	51,991	934	50,413	38,774	167
1997	52,319	940	51,194	39,846	167
1998	53,805	967	52,002	41,666	167
1999	54,693	983	54,088	42,225	167
2000	54,697	983	56,512	40,410	167
Percent change					
1999 to 2000	0%	0%	4.5%	-4.3%	0%

Note: Three-judge panels represent full panels and hear appeal arguments. Data on the number of judges and cases filed in the Federal Circuit are excluded. Data for 1982-87 are reported for the 12-month period ending June 30. Beginning in 1988, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1992*, p. 57, Table 1; *1997*, p. 14, Table 1 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), p. 16, Table 1. Table adapted by SOURCEBOOK staff.

Table 5.63

**Appeals from U.S. District Courts filed in U.S. Courts of Appeals**

By nature of suit or offense, 1985-2000

Nature of suit or offense	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Total cases	28,560	29,425	30,798	32,686	34,995	36,609	37,410	41,543	44,236	42,983	44,365	47,026	45,935	48,057	46,931	46,487
<b>Total civil cases</b>	<b>23,571</b>	<b>24,291</b>	<b>25,538</b>	<b>26,674</b>	<b>26,975</b>	<b>27,116</b>	<b>27,461</b>	<b>30,328</b>	<b>32,374</b>	<b>32,309</b>	<b>34,203</b>	<b>36,137</b>	<b>35,414</b>	<b>37,522</b>	<b>36,680</b>	<b>35,780</b>
U.S. cases	6,744	6,415	6,292	6,210	6,349	6,626	6,663	7,137	7,858	7,533	7,919	8,750	8,986	9,816	9,221	8,695
U.S. plaintiff	914	989	969	838	885	935	991	1,012	985	923	809	728	557	638	634	608
Contract actions	99	87	136	105	121	146	116	165	196	126	95	89	55	50	62	108
Real property actions	111	107	117	108	84	88	98	81	134	102	62	63	37	43	50	29
Civil rights	68	79	112	95	95	121	100	89	53	83	78	80	71	98	64	62
Labor laws	68	84	78	86	72	62	68	59	44	49	37	26	23	25	23	22
All other <sup>a</sup>	568	632	526	444	513	518	609	618	558	563	537	470	371	422	435	387
U.S. defendant	5,830	5,426	5,323	5,372	5,464	5,691	5,672	6,125	6,873	6,610	7,110	8,022	8,429	9,178	8,587	8,087
Contract actions	141	141	132	127	112	133	159	206	232	180	139	131	90	107	106	73
Real property actions	77	82	79	106	69	82	107	91	114	99	97	110	64	74	56	72
Tort actions	404	409	448	379	407	381	384	396	369	376	356	463	350	293	276	273
Civil rights	720	612	642	691	707	693	744	796	899	873	898	948	898	963	990	895
Prisoner petitions:																
Motions to vacate sentence	551	624	712	856	991	1,112	1,154	1,467	1,818	1,774	2,215	3,078	3,870	4,066	3,356	2,671
Habeas corpus <sup>b</sup>	531	485	546	524	493	488	506	432	421	430	462	451	492	677	1,034	1,398
Prisoner civil rights	288	324	349	335	325	408	389	406	416	506	555	624	434	302	303	336
Prison conditions	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	85 <sup>c</sup>	152	154	169
Other prisoner petitions	140	136	195	247	256	253	289	239	247	229	225	293	302	327	364	381
Social Security laws	1,188	1,178	982	992	951	926	686	683	846	861	925	815	699	862	904	845
Tax suits	448	393	288	264	310	313	332	360	320	306	270	219	248	276	243	189
Environmental matters	102	81	60	70	97	93	96	99	101	105	110	133	138	113	121	116
Freedom of Information Act	130	143	134	108	83	93	98	136	142	98	81	94	106	109	78	78
All other <sup>d</sup>	1,110	818	756	673	663	716	728	814	948	773	777	663	653	857	602	591
Private cases	16,827	17,876	19,246	20,464	20,626	20,490	20,798	23,191	24,516	24,776	26,284	27,387	26,428	27,706	27,459	27,085
Federal question	12,910	13,989	15,130	15,901	16,274	16,370	16,668	18,795	19,930	20,824	22,496	23,533	22,630	24,250	24,076	23,885
Contract actions	586	525	510	533	587	561	628	737	631	768	578	642	553	606	633	513
Tort actions	749	782	697	800	778	737	742	750	783	744	813	686	687	666	901	589
Civil rights	3,648	3,928	3,926	3,931	3,939	3,915	3,844	4,339	5,030	5,638	6,001	6,242	6,923	7,405	7,052	6,995
Antitrust	310	345	309	274	253	214	190	162	197	197	164	160	166	169	146	106
Prisoner petitions:																
Habeas corpus <sup>b</sup>	2,172	2,331	2,755	3,107	3,168	3,170	3,391	3,725	3,612	3,642	3,927	4,423	4,475	6,054	6,782	7,234
Prisoner civil rights	2,772	2,982	3,817	4,070	4,224	4,413	4,655	5,396	6,044	6,385	7,528	8,053	5,358	3,814	2,925	2,681
Prison conditions	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1,103 <sup>c</sup>	1,937	2,178	2,295
Other prisoner petitions	78	110	111	114	100	53	70	71	104	78	69	70	68	92	93	87
Labor laws	1,009	1,056	1,084	1,109	1,190	1,085	1,079	1,195	1,181	1,179	1,276	1,190	1,160	1,303	1,185	1,108
Copyright, patent, and trademark	275	339	329	301	265	349	306	377	394	401	443	447	450	491	465	504
Securities, commodities, exchange	290	464	407	443	449	417	352	428	323	242	224	242	200	177	196	223
Constitutionality of State statutes	104	110	71	101	102	96	100	117	87	106	123	96	133	129	121	133
All other	917	1,017	1,114	1,118	1,219	1,360	1,311	1,498	1,544	1,444	1,350	1,282	1,354	1,407	1,399	1,417
Diversity of citizenship	3,878	3,834	4,065	4,504	4,287	4,099	4,088	4,333	4,551	3,898	3,753	3,833	3,776	3,443	3,366	3,190
Contract actions	2,192	2,289	2,459	2,414	2,612	2,413	2,419	2,450	2,398	2,292	2,183	2,235	2,259	2,019	1,958	1,969
Tort actions	1,538	1,393	1,434	1,930	1,468	1,488	1,415	1,663	1,957	1,410	1,414	1,445	1,379	1,296	1,274	1,099
All other <sup>e</sup>	148	152	172	160	207	198	254	220	196	196	156	153	138	128	134	122
General local jurisdiction	39	53	51	59	65	21	42	63	35	54	35	21	22	13	17	10
Contract actions	NA	5	7	17	18	8	10	16	8	13	8	2	7	0	6	0
Tort actions	NA	30	16	29	17	3	18	14	14	21	11	3	4	6	7	6
Prisoner petitions	NA	0	3	3	2	1	0	2	0	0	0	4	1	1	2	0
All other <sup>e</sup>	NA	18	25	10	28	9	14	31	13	20	16	12	10	6	2	4
<b>Total criminal cases</b>	<b>4,989</b>	<b>5,134</b>	<b>5,260</b>	<b>6,012</b>	<b>8,020</b>	<b>9,493</b>	<b>9,949</b>	<b>11,215</b>	<b>11,862</b>	<b>10,674</b>	<b>10,162</b>	<b>10,889</b>	<b>10,521</b>	<b>10,535</b>	<b>10,251</b>	<b>10,707</b>
Homicide	49	56	56	54	50	81	66	79	83	126	114	142	140	119	118	97
Assault	67	63	75	80	102	97	86	80	116	103	103	80	89	79	71	60
Robbery and burglary	300	237	228	229	379	400	463	547	596	528	353	289	305	319	268	312
Larceny and theft	242	210	236	188	243	267	225	238	262	302	250	278	275	269	221	237
Embezzlement and fraud	912	971	966	1,093	1,174	1,221	1,387	1,522	1,561	1,426	1,294	1,581	1,526	1,403	1,276	1,339
Motor vehicle theft	55	51	23	37	30	35	38	49	64	135	92	112	76	94	93	70
Drug offenses	2,063	2,134	2,254	2,977	4,386	5,658	5,570	5,936	5,900	5,104	4,499	5,099	4,750	4,845	4,513	4,450
Extortion, racketeering, and threats	263	245	203	135	125	119	136	167	157	150	122	204	218	163	205	201
Firearms, weapons	229	276	258	297	476	526	715	1,092	1,237	1,139	1,034	1,183	1,135	982	1,070	1,035
Forgery and counterfeiting	157	183	161	142	175	172	128	152	132	127	132	140	143	158	153	130
Immigration	64	78	73	78	157	140	144	209	226	263	277	353	417	693	934	1,357
All other <sup>f</sup>	588	629	559	702	723	777	991	1,144	1,528	1,271	1,892	1,428	1,447	1,411	1,329	1,419

See notes on next page.

Table 5.63

**Appeals from U.S. District Courts filed in U.S. Courts of Appeals**

By nature of suit or offense, 1985-2000--Continued

Note: See Note, table 5.61. "Private cases" brought in U.S. District Courts include suits wherein litigation is between States and/or private citizens. "Prisoner petitions" included in this category are those filed by State prisoners naming a State or its representative(s) as the defendant(s). "Diversity of citizenship" refers to lawsuits between residents of different States. Since 1987, totals include reopened, remanded, and reinstated appeals as well as original appeals. Data for 1985-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

<sup>a</sup>Includes tort actions; forfeiture and penalty; securities, commodities, and exchange; and tax suits.

<sup>b</sup>Includes death sentence cases.

<sup>c</sup>Collection of data for this category began on Jan. 1, 1997; therefore reported data are for 9 months.

<sup>d</sup>Includes labor suits.

<sup>e</sup>Includes real property actions.

<sup>f</sup>Includes sex offenses, bribery, gambling, lottery, kidnaping, escape, perjury, drunk driving/traffic, and Federal statutes such as agricultural acts and antitrust violations.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 118; 1986, pp. 165-168; 1995, pp. 122-126; 1998, pp. 126-130; 1999, pp. 120-124 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1987, pp. 165-168; 1988, pp. 168-171; 1989, pp. 164-167; 1990, pp. 130-132; 1991, pp. 183, 184; 1992, pp. 166-170; 1993, pp. A1-38--A1-42; 1994, Table B-7; 1996, pp. 119-123; 1997, pp. 112-116 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 114-118. Table adapted by SOURCEBOOK staff.

Table 5.64

**Outcome of criminal appeals terminated in U.S. Courts of Appeals**By conviction offense and selected case characteristics, fiscal year 1999<sup>a</sup>

Conviction offense and case characteristics	Outcome of appeal					
	Number	Procedural termination	Terminated on the merits			
			Affirmed	Remanded or reversed	Partially affirmed	Dismissed
<b>Total</b>	10,593	22.8%	61.3%	6.8%	4.0%	5.1%
<u><b>Conviction offense</b></u>						
Felony	10,161	22.2	61.8	6.8	4.1	5.1
Violent	644	17.9	68.6	7.6	2.8	3.1
Property	1,906	24.6	56.7	8.8	5.5	4.6
Fraud	1,451	26.7	55.2	8.4	5.7	4.0
Other	455	17.8	61.3	9.9	4.6	6.4
Drug	4,865	22.2	63.8	5.7	3.7	4.6
Public-order	2,746	21.7	60.1	7.2	4.1	6.9
Regulatory	180	20.6	63.3	6.1	7.2	2.8
Other	2,566	21.8	59.8	7.3	3.9	7.2
Weapons	1,039	19.5	66.1	6.9	4.2	3.2
Immigration	687	24.2	48.9	6.4	2.6	17.9
Misdemeanor	430	36.5	50.5	5.8	2.1	5.1
<u><b>Case characteristics</b></u>						
<u><b>Appellant</b></u>						
Government	506	37.9	23.1	31.0	6.3	1.6
Defendant	10,087	22.0	63.2	5.6	3.9	5.3
<u><b>Type of appeal</b></u>						
Interlocutory <sup>b</sup>	238	38.7	36.1	17.2	2.9	5.0
Sentence only	2,501	25.4	59.1	6.8	3.2	5.6
Conviction only	1,303	19.4	68.2	5.0	2.8	4.6
Sentence and conviction	5,102	16.0	68.0	5.5	5.5	5.0
Other	1,449	42.7	39.5	11.2	1.4	5.2
<u><b>Type of counsel</b></u>						
Private	3,513	24.9	59.1	7.0	5.0	4.0
Public	6,221	20.2	64.3	6.2	3.5	5.8
Appointed	3,880	19.9	65.5	5.6	3.6	5.4
Federal defender	2,341	20.9	62.2	7.1	3.3	6.5
Pro se	78	32.1	47.4	10.3	6.4	3.9
<u><b>Mode of conviction</b></u>						
Plea	5,894	26.5	57.7	5.6	2.7	7.5
Trial	3,419	13.1	73.7	5.9	6.3	1.0

Note: These data are from the U.S. Department of Justice, Bureau of Justice Statistics' Federal Justice Statistics Program (FJSP) database. The FJSP is constructed from source files provided by the U.S. Marshals Service, the Executive Office for United States Attorneys, the Administrative Office of the United States Courts, the U.S. Sentencing Commission, and the Federal Bureau of Prisons. Data from these sources were merged, resulting in composite data, and may therefore differ from other published sources. These data exclude cases transferred prior to final disposition and include observations for which specific offense and case characteristics were unavailable.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>An appeal brought prior to final case disposition in the district court.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Federal Criminal Appeals, 1999 with Trends 1985-99*, Special Report NCJ 185055 (Washington, DC: U.S. Department of Justice, April 2001), p. 4; p. 6, Table 4. Table adapted by SOURCEBOOK staff.



Table 5.65

**Activities of the U.S. Supreme Court**

At conclusion of the October term, 1976-99

October term	Argued during term	Disposed of by full opinions	Disposed of by per curiam opinions	Set for reargument	Granted review this term	Reviewed and decided without oral argument	Total available for argument at outset of following term
1976	176	154	22	0	169	207	88
1977	172	153	8	9	162	129	75
1978	168	153	8	8	163	110	79
1979	156	143	12	1	154	128	78
1980	154	144	8	2	183	130	102
1981	184	169	10	4	210	134	126
1982	183	174	6	3	179	135	113
1983	184	174	6	4	149	86	80
1984	175	159	11	5	185	82	87
1985	172	161	10	1	187	103	101
1986	175	164	10	1	167	113	91
1987	167	151	9	7	180	95	105
1988	170	156	12	2	147	110	81
1989	146	143	3	0	122	80	57
1990	125	121	4	0	141	115	70
1991	127	120	3	4	120	77	66
1992	116	111	4	0	97	113	46
1993	99	93	6	0	99	70	40
1994	94	91	3	0	93	69	39
1995	90	87	3	0	105	120	52
1996	90	87	3	0	87	82	48
1997 <sup>a</sup>	96	93	1	0	90	51	41
1998	90	84	4	2	81	59	30
1999	83	79	2	1	92	54	37

Note: "Per curiam" refers to disposition of a case by the Court that is not accompanied by a full opinion. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes two dismissed cases.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1981*, p. A-1; *1986*, p. 135 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director, 1991*, p. 161; *1996*, p. 82 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), p. 77. Table adapted by SOURCEBOOK staff.

Table 5.66

**Cases filed, disposed of, and pending in the U.S. Supreme Court**

By method of filing, at conclusion of the October term, 1976-99

October term	Total	Method of filing			October term	Total	Method of filing		
		Original	Paid	In forma pauperis			Original	Paid	In forma pauperis
<u>1976</u>					<u>1988</u>				
Cases on docket	4,730	8	2,324	2,398	Cases on docket	5,657	14	2,587	3,056
Disposed of	3,918	2	1,852	2,064	Disposed of	4,911	2	2,271	2,638
Remaining on docket	812	6	472	334	Remaining on docket	746	12	316	418
<u>1977</u>					<u>1989</u>				
Cases on docket	4,704	14	2,341	2,349	Cases on docket	5,746	14	2,416	3,316
Disposed of	3,867	3	1,911	1,953	Disposed of	4,989	2	2,096	2,891
Remaining on docket	837	11	430	396	Remaining on docket	757	12	320	425
<u>1978</u>					<u>1990</u>				
Cases on docket	4,731	17	2,383	2,331	Cases on docket	6,316	14	2,351	3,951
Disposed of	4,017	0	2,021	1,996	Disposed of	5,481	3	2,042	3,436
Remaining on docket	714	17	362	335	Remaining on docket	835	11	309	515
<u>1979</u>					<u>1991</u>				
Cases on docket	4,781	23	2,509	2,249	Cases on docket	6,770	12	2,451	4,307
Disposed of	3,889	1	2,050	1,838	Disposed of	5,894	1	2,125	3,768
Remaining on docket	892	22	459	411	Remaining on docket	876	11	326	539
<u>1980</u>					<u>1992</u>				
Cases on docket	5,144	24	2,749	2,371	Cases on docket	7,245	12	2,441	4,792
Disposed of	4,196	7	2,222	1,950	Disposed of	6,402	1	2,140	4,261
Remaining on docket	948	17	527	421	Remaining on docket	843	11	301	531
<u>1981</u>					<u>1993</u>				
Cases on docket	5,311	22	2,935	2,354	Cases on docket	7,786	12	2,442	5,332
Disposed of	4,433	6	2,390	2,037	Disposed of	6,721	1	2,099	4,621
Remaining on docket	878	16	545	317	Remaining on docket	1,065	11	343	711
<u>1982</u>					<u>1994</u>				
Cases on docket	5,079	17	2,170	2,352	Cases on docket	8,100	11	2,515	5,574
Disposed of	4,201	3	2,190	2,008	Disposed of	7,170	2	2,185	4,983
Remaining on docket	878	14	520	344	Remaining on docket	930	9	330	591
<u>1983</u>					<u>1995</u>				
Cases on docket	5,100	18	2,688	2,394	Cases on docket	7,565	11	2,456	5,098
Disposed of	4,140	7	2,148	1,985	Disposed of	6,649	5	2,130	4,514
Remaining on docket	960	11	540	409	Remaining on docket	916	6	326	584
<u>1984</u>					<u>1996</u>				
Cases on docket	5,006	15	2,575	2,416	Cases on docket	7,602	7	2,430	5,165
Disposed of	4,261	8	2,175	2,078	Disposed of	6,739	2	2,124	4,613
Remaining on docket	745	7	400	338	Remaining on docket	863	5	306	552
<u>1985</u>					<u>1997</u>				
Cases on docket	5,158	10	2,571	2,577	Cases on docket	7,692	7	2,432	5,253
Disposed of	4,275	2	2,095	2,178	Disposed of	6,759	1	2,142	4,616
Remaining on docket	883	8	476	399	Remaining on docket	933	6	290	637
<u>1986</u>					<u>1998</u>				
Cases on docket	5,134	12	2,547	2,575	Cases on docket	8,083	7	2,387	5,689
Disposed of	4,360	1	2,105	2,254	Disposed of	7,045	2	2,092	4,951
Remaining on docket	774	11	442	321	Remaining on docket	1,038	5	295	738
<u>1987</u>					<u>1999</u>				
Cases on docket	5,268	16	2,577	2,675	Cases on docket	8,445	8	2,413	6,024
Disposed of	4,387	5	2,131	2,251	Disposed of	7,369	0	2,096	5,273
Remaining on docket	881	11	446	424	Remaining on docket	1,076	8	317	751

Note: "Original" refers to those cases that were on the Supreme Court docket previously and were disposed of, but that have been reinstated for some reason. For all cases other than "original" ones, a docket filing fee must be "paid." If the petitioner is indigent, the docket filing fee is waived and the case is filed "in forma pauperis."

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. A-1; 1986, p. 135 (Washington, DC: Administrative Office of the United States Courts); *Annual Report of the Director*, 1991, p. 161; 1996, p. 82 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director* (Washington, DC: Administrative Office of the United States Courts, 2001), p. 77. Table adapted by SOURCEBOOK staff.

Table 5.67

**Petitions for review on writ of certiorari to the U.S. Supreme Court filed, terminated, and pending**

By circuit and nature of proceeding, fiscal year 2000

Circuit and nature of proceeding	Pending		Terminated			Pending Sept. 30, 2000	Circuit and nature of proceeding	Pending		Terminated			Pending Sept. 30, 2000
	Oct. 1, 1999	Filed	Granted	Denied	Dis-missed			Oct. 1, 1999	Filed	Granted	Denied	Dis-missed	
Total	2,498	5,633	99	5,236	45	2,751	Sixth Circuit	210	535	9	477	8	251
Criminal	778	1,786	12	1,779	0	773	Criminal	63	142	1	150	0	54
U.S. civil	455	956	29	935	12	435	U.S. civil	37	86	0	78	1	44
Private civil	1,175	2,763	51	2,416	32	1,439	Private civil	104	295	7	235	7	150
Administrative appeals	90	128	7	106	1	104	Administrative appeals	6	12	1	14	0	3
District of Columbia	11	116	2	101	2	22	Seventh Circuit	181	424	14	391	5	195
Criminal	2	16	0	15	0	3	Criminal	62	147	1	130	0	78
U.S. civil	5	46	0	46	0	5	U.S. civil	73	159	10	149	2	71
Private civil	2	33	0	28	2	5	Private civil	46	107	3	110	3	37
Administrative appeals	2	21	2	12	0	9	Administrative appeals	0	11	0	2	0	9
First Circuit	58	84	1	78	0	63	Eighth Circuit	142	357	10	391	0	98
Criminal	19	26	0	24	0	21	Criminal	31	83	1	96	0	17
U.S. civil	8	21	0	18	0	11	U.S. civil	16	52	2	50	0	16
Private civil	30	36	1	35	0	30	Private civil	78	211	7	223	0	59
Administrative appeals	1	1	0	1	0	1	Administrative appeals	17	11	0	22	0	6
Second Circuit	303	419	10	297	1	414	Ninth Circuit	767	891	4	850	0	804
Criminal	81	131	1	93	0	118	Criminal	271	286	1	311	0	245
U.S. civil	51	53	3	42	0	59	U.S. civil	115	120	1	114	0	120
Private civil	168	225	6	160	1	226	Private civil	332	468	2	406	0	392
Administrative appeals	3	10	0	2	0	11	Administrative appeals	49	17	0	19	0	47
Third Circuit	48	340	5	279	4	100	Tenth Circuit	85	316	6	321	0	74
Criminal	14	107	1	89	0	31	Criminal	37	107	0	122	0	22
U.S. civil	7	53	1	50	0	9	U.S. civil	9	40	2	39	0	8
Private civil	24	172	3	133	4	56	Private civil	39	160	2	154	0	43
Administrative appeals	3	8	0	7	0	4	Administrative appeals	0	9	2	6	0	1
Fourth Circuit	145	635	11	653	12	104	Eleventh Circuit	216	678	11	604	7	272
Criminal	12	260	1	253	0	18	Criminal	82	242	1	251	0	72
U.S. civil	61	119	3	158	8	11	U.S. civil	36	129	3	107	1	54
Private civil	69	247	7	237	3	69	Private civil	96	304	7	243	6	144
Administrative appeals	3	9	0	5	1	6	Administrative appeals	2	3	0	3	0	2
Fifth Circuit	332	838	16	794	6	354							
Criminal	104	239	4	245	0	94							
U.S. civil	37	78	4	84	0	27							
Private civil	187	505	6	452	6	228							
Administrative appeals	4	16	2	13	0	5							

Note: "Writ of certiorari" is an order by the appellate court that is used when the court has discretion on whether to hear an appeal. If the appellate court grants the writ, it has the effect of ordering the lower court to certify the record and send it up to the higher court, which will then hear the appeal. "U.S. civil" filings involve suits against the Federal Government brought in U.S. District Courts. "Private civil" filings involve suits wherein litigation is between States and/or private citizens. "Administrative appeals" include applications for enforcement or petitions for review of orders of an administrative board or agency. Data for the U.S. Court of Appeals for the Federal circuit are not included in the above table. For a list of U.S. District Courts in each circuit, [see table 5.10](#).

Source: Administrative Office of the United States Courts, **Judicial Business of the United States Courts: 2000 Annual Report of the Director** (Washington, DC: Administrative Office of the United States Courts, 2001), pp. 87-89.

Table 5.68

**U.S. Supreme Court cases argued and decided on merits**

At conclusion of the October term, 1982-99

October term	Argued						Decided on merits <sup>a</sup>					
	Total	Government participating	Government as petitioner or appellant <sup>b</sup>	Government as respondent or appellee <sup>b</sup>	Government as amicus <sup>c</sup>	Government not participating	Total	Government participating	Decided in favor of Government's position <sup>b</sup>	Decided against Government's position <sup>b</sup>	Not classifiable as for or against <sup>b</sup>	Government not participating
<b>Number</b>												
1982	183	131	44	44	43	52	283	172	115	50	7	111
1983	184	118	46	33	39	66	262	150	124	23	3	112
1984	175	114	37	34	43	61	236	146	113	30	3	90
1985	171	106	39	24	43	65	275	139	99	35	5	136
1986	175	104	27	32	45	71	282	140	98	36	6	142
1987	167	106	36	34	36	61	251	135	82	38	15	116
1988	170	91	25	25	41	79	265	122	86	25	11	143
1989	146	89	26	23	40	57	224	108	67	39	2	116
1990	125	77	10	32	35	48	232	107	74	31	2	125
1991	123	84	26	17	41	39	183	103	76	22	5	80
1992	116	88	24	23	41	28	206	126	84	36	6	80
1993	99	70	11	20	39	29	157	97	56	37	4	60
1994	94	64	21	16	27	30	146	84	48	33	3	62
1995	90	68	13	28	27	22	189	129	50	70 <sup>d</sup>	9	60
1996	90	68	18	19	31	22	160	103	72	21	10	57
1997	96	70	13	26	31	26	146	83	55	26	2	63
1998	90	76	13	26	37	14	143	94	63	25	6	49
1999	81	58	12	21	25	23	131	77	43	33	1	54
<b>Percent</b>												
1982	100%	72%	34%	34%	33%	28%	100%	61%	67%	29%	4%	39%
1983	100	64	39	28	33	36	100	57	83	15	2	43
1984	100	65	32	30	38	35	100	62	77	21	2	38
1985	100	62	37	23	41	38	100	51	71	25	4	49
1986	100	59	26	31	43	41	100	50	70	26	4	50
1987	100	63	34	32	34	37	100	54	61	28	11	46
1988	100	54	27	27	45	46	100	46	70	20	9	54
1989	100	61	29	26	45	39	100	48	62	36	2	52
1990	100	62	13	42	45	38	100	46	69	29	2	54
1991	100	68	31	20	49	32	100	56	74	21	5	44
1992	100	76	27	26	47	24	100	61	67	29	5	39
1993	100	71	16	29	56	29	100	62	58	38	4	38
1994	100	68	33	25	42	32	100	58	57	39	4	42
1995	100	76	19	41	40	24	100	68	39	54	7	32
1996	100	75	26	28	45	24	100	64	70	20	10	36
1997	100	73	19	37	44	27	100	57	66	31	2	43
1998	100	84	17	34	49	16	100	66	67	27	6	34
1999	100	72	15	26	31	28	100	59	33	25	1	41

Note: These data represent actions taken during the annual terms of the U.S. Supreme Court.

"Amicus" refers to a party who is not involved directly in the suit, but who demonstrates an interest in the case by filing a supportive brief. "Decided on merits" refers to a reassessment and resolution of the substantive issues presented in the case, but that does not involve active participation of the litigants through the filing of written and oral arguments. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes cases summarily affirmed, reversed, or vacated on the In Forma Pauperis Docket.<sup>b</sup>Percent is based on the total cases in which the Government participated.<sup>c</sup>Includes cases in which the Government filed briefs as amicus curiae but did not participate in the argument.<sup>d</sup>Includes 43 cases that were vacated and remanded for further consideration in light of *Bailey v. U.S.A.*, 94-7448. The case involved the review of two convictions under 18 USC 924 (c)(1), which imposes a mandatory prison term on anyone using or carrying a firearm during the commission of a drug trafficking crime.

Source: Table adapted from tables provided to SOURCEBOOK staff by the U.S. Department of Justice, Office of the Solicitor General.

Table 5.69

**Executive clemency applications for Federal offenses received, disposed of, and pending in the Office of the U.S. Pardon Attorney**

Fiscal years 1953-2000

Fiscal year	Pending		Granted		Denied
	from previous fiscal year	Received	Pardons	Commutations	
1953	543	599	97	8	356
1954	681	461	55	7	348
1955	732	662	59	4	684
1956	647	585	192	9	568
1957	463	585	232	4	443
1958	369	406	98	6	302
1959	369	434	117	2	286
1960	398	437	149	5	244
1961	437	481	226	18	266
1962	408	595	166	16	315
1963	506	592	133	45	233
1964	687	921	315	73	437
1965	783	1,008	195	80	569
1966	947	865	364	81	726
1967	641	863	222	23	520
1968	739	749	13	3	415
1969	1,057	724	0	0	505
1970	1,276	459	82	14	698
1971	941	454	157	16	648
1972	574	516	235	20	410
1973	425	485	202	5	341
1974	362	426	187	8	337
1975	256	610	147	9	325
1976	385	742	106	11	442
1977	568	738	129	8	301
1978	868	641	162	3	836
1979	508	710	143	10	448
1980	617	523	155	11	500
1981	474	547	76	7	259
1982	679	462	83	3	547
1983	508	447	91	2	306
1984	556	447	37	5	326
1985	635	407	32	3	279
1986	728	362	55	0	290
1987	745	410	23	0	311
1988	824	384	38	0	497
1989	673	373	41	1	392
1990	616	354	0	0	289
1991	681	318	29	0	681
1992	289	379	0	0	192
1993	476	868	36	2	251
1994	1,048	808	0	0	785
1995	1,071	612	53	3	588
1996	1,039	512	0	0	371
1997	1,174	685	0	0	555
1998	1,304	608	21	0	378
1999	1,512	1,009	34	14	601
2000 <sup>a</sup>	1,872	1,388	70	6	1,027

Note: Article II, Section 2 of the U.S. Constitution authorizes the President to grant executive clemency for Federal offenses. The U.S. Pardon Attorney, in consultation with the Deputy Attorney General, receives and reviews all petitions for executive clemency, initiates the necessary investigations, and prepares the recommendations of the Deputy Attorney General to the President (Source, **1980**, p. 35). Clemency may be a reprieve, remission of fine, commutation, or pardon. A "pardon," which is generally considered only after sentence completion, restores basic civil rights and may aid in the reinstatement of professional or trade licenses that may have been lost as a result of the conviction. A "commutation" is a reduction of sentence. Commutations include remission of fines. Petitions denied also include those that are closed administratively. The figures presented in this table do not include clemency actions on draft resisters, or military deserters and absentees during the Vietnam war era.

<sup>a</sup>In addition to the six commutations, President Clinton granted one reprieve of an execution date during 2000.

Source: U.S. Department of Justice, Office of the Attorney General, *The Annual Report of the Attorney General of the United States 1979*, p. 31; **1980**, p. 35 (Washington, DC: USGPO); and data provided by the U.S. Department of Justice, Office of the Pardon Attorney. Table adapted by SOURCEBOOK staff.

Table 5.70

**Judicial misconduct complaints and dispositions handled by judicial conduct organizations**By type of disposition and State, 1999<sup>a</sup>

	Complaints			Disposition of complaints						
	Pending at beginning of reporting period	Received during reporting period	Pending at end of reporting period	Dismissed without formal or informal action	Approximate percent of dispositions that were dismissals	Informal action taken	Judge vacated office during investigation	Judge privately censured, admonished, or reprimanded	Judge publicly censured, admonished, or reprimanded	Judge suspended as final sanction
Alabama	37	215	44	203	94	11	2	(c)	0	0
Alaska	14	48	9	42	79	2	0	1	0	0
Arizona	46	260	50	225	79	30	0	30	2	1
Arkansas	160	243	162	232	96	1	0	(c)	6	0
California	108	1,125	120	1,021	94	53	2	3	9	(c)
Colorado	0	143	0	142	99	0	0	1	0	(c)
Connecticut	8	77	10	63	84	NA	NA	0	1	0
Delaware	0	10	3	7	100	0	0	0	0	0
District of Columbia	2	14	2	14	100	0	0	0	0	(c)
Florida	6	454	10	392	87	13	0	(c)	0	(c)
Hawaii	14	34	11	31	84	6	0	1	0	0
Idaho	5	195	10	185	95	3	0	2	0	0
Illinois	223	447	78	483	82	105	2	(c)	0	0
Indiana	0	231	15	183	85	20	0	0	4	1
Kansas	9	305	6	276	90	10	0	1	0	(c)
Kentucky	13	218	3	206	94	12	0	6	1	2
Louisiana	105	427	120	279	68	11	0	2 <sup>f</sup>	2	0
Maine	9	41	10	40	100	3	0	0	0	0
Maryland	36	96	39	91	98	5	1	1	0	(c)
Michigan	177	650	152	639	87	10	5	10	0	1
Minnesota	17	144	20	132	94	8	1	(c)	1	0
Mississippi	34	336	36	294	84	24	0	9	2	0
Missouri	46	210	46	197	94	11	2	11	0	0
Montana	6	39	11	32	94	1	0	1	1	0
Nebraska	9	78	7	80	100	(c)	0	(c)	0	0
Nevada	41	143	40	138	96	3	0	(c)	0	(c)
New Hampshire	30	53	9	56	76	0	0	5	0	0
New Jersey	63	249	35	257	93	3	0	14	1	0
New Mexico	24	94 <sup>h</sup>	20	67	68	18	8	11	1	0
New York	178	1,424	183	1,283	90	54	20	(c)	14	(c)
North Carolina	25	347	17	318	90	0	1	20	1	(c)
North Dakota	10	92	35	62	93	0	1	0	0	1
Ohio	20	697	61	545	83	(c)	0	(c)	0	2
Oregon	3	137	7	131	98	3	0	(c)	0	0
Pennsylvania	9	522	43	444	93	31	0	(c)	0	0
Rhode Island	6	21	6	20	83	2	0	1	0	0
South Carolina	60	198	60	140	71	50	0	1	5	(c)
South Dakota	1	16	5	11	92	1	0	0	0	0
Texas	360	776	281	729	85	28	2	16	11	1
Utah	66	125	46	122	82	17	0	9	5	0
Vermont	5	66	11	44	73	(c)	0	(c)	1	0
Virginia	NA	47	10	42	NA	0	0	(c)	0	(c)
Washington	167	318	146	313	92	(c)	1	(c)	8	2
West Virginia	28	252	26	252	99	0	0	(c)	3	0
Wisconsin	10	434	13	431	99	3	0	(c)	1	0
Wyoming	7	17 <sup>i</sup>	3	21 <sup>i</sup>	100	1	0	0	0	(c)

Note: The Center for Judicial Conduct Organizations conducts annual surveys of judicial conduct organizations. These organizations are typically State agencies created by statute or constitutional amendment with the mandate to receive, investigate, and dispose of complaints regarding judicial misconduct. The judicial conduct organizations handle complaints such as judicial prejudice or bias, slow processing of orders, procedural or administrative irregularity, courtroom demeanor, and conflict of interest. (The Center for Judicial Conduct Organizations, *Judicial Conduct Reporter* 3 (Fall 1981), p. 2.) Information was not available for Georgia, Iowa, Massachusetts, Oklahoma, and Tennessee. Cross-jurisdiction comparisons should be done cautiously due to differences among the States in reporting periods, definitions of complaints, authorized sanctions, and recording practices. For the States of Alabama, California, Kentucky, Mississippi, North Carolina, and South Carolina, any discrepancies in totals are due to multiple or consolidated complaints and/or dispositions.

<sup>a</sup>Judicial conduct organizations use varying reporting periods. Most of the above data are for either calendar year or fiscal year 1999. Other reporting periods are: 1998 for California, New Hampshire, Ohio, and Wisconsin; 8/99 to 6/00 for Indiana; fiscal year 2000 for Maryland; 1/98 to 12/99 for North Carolina.

<sup>b</sup>This category encompasses a number of statuses including misconduct cases that were pending before the supreme court, judges who were suspended as an interim sanction, orders for education, retirement, and disability.

<sup>c</sup>Sanction not available in the jurisdiction.

<sup>d</sup>The Delaware Constitution empowers the Court on the Judiciary to "censure, remove or retire" any judicial officer. The constitution does not specifically provide that the court may suspend, fine, or assess fees or costs; however, case law has made it clear that the power to suspend a judicial officer is inherent in the express powers granted to the court by the constitution. Whether the court has the inherent authority to impose other lesser sanctions, such as a fine or interim suspension, is not clearly settled.

<sup>e</sup>Fines not specifically authorized but supreme court's plenary power may encompass imposition of fine.

<sup>f</sup>The Judiciary Commission does not impose sanctions, but it does counsel.

<sup>g</sup>It is not clear whether a fine is an available sanction.

<sup>h</sup>Seventy-two unverified complaints and 912 inquiries also were received by telephone or in person.

<sup>i</sup>Indicates verified complaints received.

Source: American Judicature Society, Center for Judicial Conduct Organizations, *Judicial Conduct Reporter*, Vol. 22, No. 2 (Chicago: American Judicature Society, Summer 2000), pp. 2, 3. Table adapted by SOURCEBOOK staff. Reprinted by permission.

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Fine imposed	Judge removed from office	Recommendation pending	Other <sup>b</sup>
(c)	1	1	0
(c)	0	1	0
(c)	0	1	1
0	1	1	3
(c)	0	1	1
0	0	0	0
(c)	0	1	11
(d)	0	0	0
(c)	0	0	0
0	0	4	5
(c)	0	0	0
0	0	0	0
(c)	0	0	0
0	0	0	0
(e)	0	0	1
0	0	0	1
(c)	0	1	2
0	0	0	0
(c)	0	0	0
(g)	0	5	0
1	0	0	0
1	0	5	11
(c)	0	0	0
(c)	0	0	0
(c)	0	0	2
0	0	1	4
(g)	0	0	0
(c)	1	0	2
0	1	0	82
(c)	4	2	1
(c)	0	1	13
(c)	0	0	1
0	1	1	1
(c)	0	0	1
(c)	1	1	1
(c)	0	0	0
(c)	0	0	4
0	0	0	0
(c)	1	1	11
(c)	0	1	42
(c)	0	0	0
(c)	0	0	0
(c)	1	3	0
0	0	0	4
(c)	0	3	2
(c)	0	0	0

Table 5.71

**Criminal tax fraud cases initiated by the Internal Revenue Service Criminal Investigation Division**
By type of disposition, fiscal years 1976-98<sup>a</sup>

Fiscal year	Cases initiated by Criminal Investigation Division	Disposed of by Criminal Investigation Division		Disposed of by Office of Chief Counsel	
		Prosecution recommended	Prosecution not recommended	Prosecution not warranted, including cases declined by the U.S. Department of Justice	Convictions
1976	9,035	3,147	5,650	589	2,037
1977	8,901	3,408	5,459	486	2,161
1978	9,481	3,439	5,969	597	2,153
1979	9,780	3,338	6,252	800	2,515
1980	7,114	2,267	6,329	1,285	2,321
1981	5,838	1,978	3,701	571	1,621
1982	6,498	2,297	3,852	293	1,680
1983	5,910	2,610	3,549	257	1,489
1984	6,194	2,990	3,446	267	1,806
1985	6,065	3,234	3,015	253	2,025
1986	5,861	3,524	2,654	249	2,460
1987	5,511	3,526	2,354	186	2,556
1988	4,899	3,044	2,167	277	2,491
1989	5,417	3,242	2,011	199	2,282
1990	5,280	3,228	2,015	192	2,472
1991	5,208	3,677	1,951	142	2,911
1992	6,537	4,252	1,823	97	2,950
1993	6,146	4,266	1,726	142	3,216
1994	5,346	3,748	1,867	171	3,130
1995	5,000	3,614	1,649	106	2,948
1996	5,334	3,605	1,568	92	2,915
1997	5,335	3,817	1,437	115	3,110
1998	4,655	3,527	1,298	138	3,000

Note: The Criminal Investigation Division of the Internal Revenue Service is responsible for enforcing the criminal provisions of the tax laws, investigating evidence of tax evasion or tax fraud, identifying and investigating persons who derive substantial income from illegal activities and who violate tax laws, investigating money laundering violations under the Bank Secrecy Act (Title 31), and recommending prosecution (Source, **1978**, p. 30).

The Criminal Tax Division of the Office of Chief Counsel handles criminal tax legal matters for the Internal Revenue Service, reviews criminal cases and decides if cases warrant prosecution, coordinates criminal tax prosecutions with the U.S. Department of Justice, and provides assistance to U.S. attorneys in criminal tax trials upon request (Source, **1978**, p. 53). Some cases referred by the Criminal Investigation Division may not go through the Office of Chief Counsel. For example, recommendations to prosecute money laundering violations are referred directly to U.S. attorneys.

Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>The time between initiation of an investigation and closure of a case almost always crosses more than one fiscal year. Data are reported for the year in which the action happened; prosecution decisions and convictions may or may not be a result of cases initiated in the same fiscal year.

Source: U.S. Department of the Treasury, Internal Revenue Service, **Annual Report of the Commissioner of Internal Revenue**, 1976, p. 151; 1977, p. 139; 1978, p. 98 (Washington, DC: USGPO); and data provided by the U.S. Department of the Treasury, Internal Revenue Service. Table adapted by SOURCEBOOK staff.



Table 5.72

**Criminal tax fraud cases handled by the Internal Revenue Service Office of Chief Counsel**By type of disposition, fiscal years 1976-98<sup>a</sup>

Fiscal year	Referrals by Office of Chief Counsel for prosecution <sup>b</sup>	Grand jury action		Disposition			
		Indictments and informations	No true bill	Plea of guilty or nolo contendere	Convicted after trial	Acquitted	Nolle prosequi or dismissed
1976	2,037	1,331	1	977	216	77	71
1977	2,695	1,636	31	1,229	247	55	110
1978	2,634	1,724	11	1,189	225	70	119
1979	2,883	1,820	26	1,270	342	86	183
1980	2,726	1,832	15	1,337	264	80	193
1981	1,955	1,785	9	1,212	282	81	142
1982	2,176	1,844	10	1,291	333	65	145
1983	2,457	1,801	3	1,203	295	69	146
1984	2,873	2,158	3	1,444	364	54	152
1985	3,133	2,452	4	1,611	414	68	149
1986	3,594	2,954	6	1,992	468	83	209
1987	3,420	2,906	4	2,115	441	71	198
1988	3,169	2,769	8	2,074	417	74	205
1989	3,225	2,669	7	1,931	351	67	260
1990	3,276	2,875	7	2,079	393	59	235
1991	3,729	3,341	4	2,410	501	94	205
1992	4,189	3,782	3	2,538	412	79	202
1993	4,000	3,575	3	2,770	446	88	197
1994	3,934	3,440	0	2,733	397	96	249
1995	3,533	3,386	4	2,623	325	86	327
1996	3,575	3,274	0	2,579	336	71	332
1997	3,852	3,531	0	2,701	409	38	207
1998	3,502	3,180	4	2,680	320	54	237

Note: See Note, table 5.71. An indictment is the charging document of the grand jury and an information is the charging document filed by the U.S. attorney. "No true bill" refers to cases in which the grand jury decides not to indict the defendant. "Nolo contendere" is a plea in a criminal case that has a similar legal effect as pleading guilty. The difference between a plea of guilty and a plea of nolo contendere is that the latter may not be used against the defendant in a civil action based on the same acts. A "nolle prosequi" disposition occurs when a prosecutor decides not to prosecute a case. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>b</sup>Includes cases approved by the Office of Chief Counsel plus cases that are referred directly to the U.S. Department of Justice and to U.S. attorneys by the Criminal Investigation Division.

Source: U.S. Department of the Treasury, Internal Revenue Service, *Annual Report of the Commissioner of Internal Revenue*, 1976, p. 61; 1977, p. 48; 1978, p. 53 (Washington, DC: USGPO); and data provided by the U.S. Department of the Treasury, Internal Revenue Service. Table adapted by SOURCEBOOK staff.

<sup>a</sup>The time between initiation of an investigation and closure of a case almost always crosses more than one fiscal year. Data are reported for the year in which the action happened, thus indictments/informations filed, convictions, and sentences may or may not be a result of case initiations in the same fiscal year.

Table 5.73

**Arrests and convictions handled by the U.S. Postal Inspection Service and the Office of Inspector General**

Fiscal years 1981-2000

Fiscal year	Total		Mail fraud	
	Arrests	Convictions	Arrests	Convictions
1981	5,358	5,410	1,100	1,046
1982	5,658	4,783	1,026	966
1983	6,254	5,019	1,194	938
1984	6,426	5,095	1,272	1,042
1985	7,115	5,570	1,142	887
1986	8,620	6,608	1,435	1,131
1987	9,006	7,732	1,304	1,206
1988	10,470	8,114	1,488	1,015
1989	11,502	9,479	1,543	1,225
1990	12,060	9,614	1,699	1,486
1991	13,513	10,320	1,772	1,297
1992	14,578	11,359	1,904	1,582
1993	14,263	12,428	1,965	1,900
1994	11,514	10,588	1,730	1,571
1995	10,920	10,038	1,538	1,473
1996	10,540	9,097	1,547	1,342
1997	10,668	10,013	1,545	1,533
1998	10,095	9,642	1,396	1,533
1999	10,395	9,337	1,523	1,370
2000	11,356	9,393	1,633	1,377

Note: The U.S. Postal Inspection Service is the law enforcement agency of the U.S. Postal Service. Responsibilities include enforcing over 200 statutes related to crime against the mail, the Postal Service, Postal Service employees, and customers. The Office of Inspector General (OIG), established in 1996, is an independent agency within the Postal Service. The OIG's main responsibilities are to prevent and detect fraud, waste, program abuse and mismanagement; promote efficiency of operations; and conduct investigations of revenue and cost containment issues. The Postal Inspection Service continues to be primarily concerned with the security and integrity of the mail, postal employees, and their environments; and conducts investigations relating to these responsibilities. Beginning in 1997, the data presented include the activities of both the Postal Inspection Service and the OIG.

Arrests and convictions include joint investigations with other Federal law enforcement agencies. Convictions reported in a given year may be the result of arrests made during a previous year.

Source: U.S. Postal Service, U.S. Postal Inspection Service, *Semiannual Report, April 1 - September 30, 1991*, p. 55; *April 1 - September 30, 1992*, p. 65; *April 1 - September 30, 1993*, p. 60; *April 1 - September 30, 1994*, p. 63; *April 1 - September 30, 1995*, p. 47; *April 1 - September 30, 1996*, p. 56 (Washington, DC: U.S. Postal Inspection Service); U.S. Postal Service, Office of Inspector General, *Semiannual Report, April 1 - September 30, 1997*, p. 63; *Semiannual Report, April 1, 1998 - September 30, 1998*, pp. 100, 101; *Semiannual Report, October 1, 1998 - March 31, 1999*, p. 104; *Semiannual Report, April 1, 1999 - September 30, 1999*, p. 118; *Semiannual Report, October 1, 1999-March 31, 2000*, p. 138; *Semiannual Report, April 1-September 30, 2000*, p. 115 (Washington, DC: U.S. Postal Service); and data provided by the U.S. Postal Service, U.S. Postal Inspection Service. Table constructed by SOURCEBOOK staff.

Table 5.74

**Arrests and convictions handled by the U.S. Postal Inspection Service and the Office of Inspector General**

By type of offense, fiscal year 2000

Type of offense	Arrests	Convictions
Total	11,356	9,393
U.S. Postal Inspection Service		
<u>Internal crime</u>		
Narcotics related	29	31
Miscellaneous	82	92
<u>External crime</u>		
Burglary	184	168
Robbery	84	86
Assault	441	342
Miscellaneous	673	549
<u>Prohibited mailings</u>		
Pornography/obscenity	257	213
Controlled substances	1,575	1,108
Bombs/explosive devices	76	75
Miscellaneous	77	67
<u>Revenue and Asset Protection Program</u>		
Expenditure investigations	4	9
Financial investigations	322	300
Workers' Compensation fraud	47	55
Revenue investigations	108	88
Mail fraud	1,633	1,377
Mail theft	5,724	4,829
Office of Inspector General		
Business protection	40	4

Note: See Note, table 5.73. Internal crimes are those involving employees of the U.S. Postal Service and external crimes are those committed by individuals or groups outside the organization. Narcotics cases include both employees and non-employees selling narcotics on postal property. Miscellaneous internal crimes include theft of postal property and sabotage of equipment. Assault includes threats and assaults against on-duty postal employees. Miscellaneous external crimes include counterfeit and contraband postage, money order offenses, vandalism, and arson. Pornography/obscenity includes mailing of child pornography, obscenity, or sexually-oriented advertisements. Controlled substances include narcotics, steroids, drug-related proceeds, and drug paraphernalia. Miscellaneous prohibited mailings include hazardous material, firearms and weapons, intoxicants, explosives other than bombs, extortion, and false documents.

The Revenue and Asset Protection Program (RAPP) was established in 1995 and combines portions of the audit and criminal investigation activities. The objective of RAPP is to give priority to the protection of postal revenue and assets. Activities include reviewing internal controls, examining unfavorable trends and significant variations in activity, and pursuing information received through financial audits, customer complaints, and anonymous tips.

Business protection includes investigations of offenses related to business integrity (e.g., bribery, embezzlement) and expenditure, contract, and healthcare fraud, as well as audits related to purchasing and facilities management.

Source: U.S. Postal Service, Office of Inspector General, *Semiannual Report, October 1, 1999 - March 31, 2000*, p. 138; and *Semiannual Report, April 1, 2000 - September 30, 2000*, p. 115 (Washington, DC: U.S. Postal Service). Table adapted by SOURCEBOOK staff.

Table 5.75

**Prosecutions for violations of U.S. immigration and nationality laws**

By type of case and disposition, and aggregate fines and imprisonment imposed,  
fiscal years 1987-98

Type of case and disposition	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
Total, all cases	18,894	18,360	18,580	20,079	18,882	14,655	14,429	11,518	13,557	14,173	17,081	22,320
Dismissals <sup>a</sup>	6,653	6,037	5,914	7,310	7,293	4,733	2,713	1,292	1,410	1,998	885	803
Acquittals	245	115	105	50	80	57	31	16	72	54	12	37
Convictions	11,996	12,208	12,561	12,719	11,509	9,865	11,685	10,210	12,075	12,121	16,184	21,480
Aggregate fines imposed	\$1,489,491	\$2,528,308	\$1,830,594	\$2,935,664	\$2,622,659	\$1,673,488	\$1,074,717	\$450,729	\$906,675	\$1,101,592	\$751,500	\$734,724
Aggregate imprisonment (in years)	5,382	5,012	4,579	5,749	5,748	5,592	6,413	6,214	6,834	6,793	11,038	11,467
Immigration cases, total	18,200	17,590	17,992	19,351	18,297	14,138	14,363	11,485	13,519	14,136	16,912	22,188
Dismissals <sup>a</sup>	6,169	5,547	5,508	6,788	6,828	4,315	2,713	1,292	1,409	1,996	879	800
Acquittals	245	114	105	48	77	57	31	15	72	54	12	37
Convictions	11,786	11,929	12,379	12,515	11,392	9,766	11,619	10,178	12,038	12,086	16,021	21,351
Aggregate fines imposed	\$1,462,941	\$2,523,933	\$1,828,694	\$2,872,279	\$2,508,084	\$1,670,839	\$1,069,757	\$444,909	\$894,825	\$1,101,292	\$739,946	\$727,089
Aggregate imprisonment (in years)	5,196	4,946	4,558	5,642	5,610	5,550	6,384	6,198	6,811	6,774	10,973	11,353
Nationality cases, total	694	770	588	728	585	517	66	33	38	37	169	132
Dismissals <sup>a</sup>	484	490	406	522	465	418	0	0	1	2	6	3
Acquittals	0	1	0	2	3	0	0	1	0	0	0	0
Convictions	210	279	182	204	117	99	66	32	37	35	163	129
Aggregate fines imposed	\$26,550	\$4,375	\$1,900	\$63,385	\$114,575	\$2,649	\$4,960	\$5,820	\$11,850	\$300	\$11,554	\$7,635
Aggregate imprisonment (in years)	186	66	21	107	138	42	29	16	23	19	65	114

Note: Violations of nationality laws include false representations as citizens of the United States, false statements and procurement of citizenship or naturalization unlawfully, and reproduction of citizenship and naturalization papers. Some data for 1993-96 have been revised by the Source and may differ from previous editions of SOURCEBOOK. In addition, data for 1997 have been revised by the Source due to changes in classification of some violation codes.

<sup>a</sup>Dismissed or otherwise closed.

Source: Table provided to SOURCEBOOK staff by the U.S. Department of Justice, Immigration and Naturalization Service.

Table 5.76

**Convictions for violations of U.S. immigration and nationality laws**

By offense, fiscal years 1986-98

Offense	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
Total	15,259	11,996	12,208	12,561	12,529	11,509	9,865	11,685	10,210	12,075	12,121	16,184	21,480
Violations of immigration laws	15,104	11,786	11,929	12,379	12,325	11,392	9,766	11,619	10,178	12,038	12,086	16,021	21,351
Illegal entry of aliens	11,030	8,190	7,379	7,659	8,162	7,214	6,341	7,179	6,607	7,430	6,331	9,703	15,032
Reentries of deported aliens	308	347	314	381	444	547	477	766	803	1,475	2,331	2,859	3,149
Bringing in, transporting, harboring, and inducing illegal entry of aliens	1,422	984	808	860	1,431	1,498	977	1,008	732	763	1,307	1,185	1,108
Fraud, misuse of visas, entry permits, and other entry documents	225	141	298	228	289	318	306	293	306	211	193	160	260
Fraud and false statements or entries	208	105	128	142	83	68	109	116	40	61	52	109	100
Alien registration or alien address violations	63	89	28	73	135	93	39	7	15	34	7	10	2
Producing, transferring, possessing, stealing, using, or selling false identification documents	279	332	295	370	597	602	497	802	672	1,123	768	1,142	1,068
Conspiracy to defraud the United States	433	436	757	560	615	252	121	699	462	442	666	92	106
Producing, processing, or selling of a controlled substance	NA	NA	NA	NA	NA	466	498	742	523	477	408	378	146
All other violations	1,136	1,162	1,922	2,106	569	334	401	7	18	22	23	383	380
Violations of nationality laws	155	210	279	182	204	117	99	66	32	37	35	163	129
False representation as citizen of the United States	133	200	248	156	137	69	59	56	24	27	16	106	83
False statements and procurement of citizenship or naturalization unlawfully	6	2	3	3	60	36	37	3	3	5	4	3	4
Reproduction and sale of citizenship and naturalization papers	16	8	28	23	7	12	3	7	5	5	15	54	42

Note: Some data for 1993-96 have been revised by the Source and may differ from previous editions of SOURCEBOOK. In addition, data for 1997 have been revised by the Source due to changes in classification of some violation codes.

Source: Table provided to SOURCEBOOK staff by the U.S. Department of Justice, Immigration and Naturalization Service.

Table 5.77

**Persons indicted, awaiting trial on December 31, and convicted of offenses involving abuse of public office**

By level of government, 1973-99

	Elected or appointed official														
	Total			Federal			State			Local			Others involved		
	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed
Total	25,196	6,820	21,736	10,744	1,920	9,523	1,995	662	1,640	6,091	2,044	5,005	6,366	2,194	5,568
1973	191	18	144	60	2	48	19	0	17	85	2	64	27	14	15
1974	305	5	213	59	1	51	36	0	23	130	4	87	80	0	52
1975	294	27	211	53	5	43	36	5	18	139	15	94	66	2	56
1976	391	199	260	111	1	101	59	30	35	194	98	100	27	70	24
1977	535	210	440	129	32	94	50	33	38	157	62	164	199	83	144
1978	530	205	418	133	42	91	55	20	56	171	72	127	171	71	144
1979	579	178	419	114	21	102	56	29	31	211	63	151	198	65	135
1980	727	213	602	123	16	131	72	28	51	247	82	168	285	87	252
1981	808	231	730	198	23	159	87	36	66	244	102	211	279	70	294
1982	813	186	671	158	38	147	49	18	43	257	58	232	349	72	249
1983	1,076	222	972	460 <sup>a</sup>	58	424	81	26	65	270	61	226	265	77	257
1984	931	269	934	408	77	429	58	21	52	203	74	196	262	97	257
1985	1,157	256	997	563	90	470	79	20	66	248	49	221	267	97	240
1986	1,208	246	1,026	596	83	523	88	24	71	232	55	207	292	84	225
1987	1,276	368	1,081	651	118	545	102	26	76	246	89	204	277	135	256
1988	1,274	288	1,067	629	86	529	66	14	69	276	79	229	303	109	240
1989	1,348	375	1,149	695	126	610	71	18	54	269	122	201	313	109	284
1990	1,176	300	1,084	615	103	583	96	28	79	257	98	225	208	71	197
1991	1,452	346	1,194	803	149	665	115	42	77	242	88	180	292	67	272
1992	1,189	380	1,081	624	139	532	81	24	92	232	91	211	252	126	246
1993	1,371	403	1,362	627	133	595	113	39	133	309	132	272	322	99	362
1994	1,165	332	969	571	124	488	99	17	97	248	96	202	247	95	182
1995	1,051	323	878	527	120	438	61	23	61	236	89	191	227	91	188
1996	984	244	902	456	64	459	109	40	83	219	60	190	200	80	170
1997	1,057	327	853	459	83	392	51	20	49	255	118	169	292	106	243
1998	1,174	340	1,014	442	85	414	91	37	58	277	90	264	364	128	278
1999	1,134	329	1,065	480	101	460	115	44	80	237	95	219	302	89	306

Note: Questionnaires are sent annually to the U.S. attorneys' offices in each of the Federal judicial districts eliciting data concerning indictments and convictions during the year as well as prosecutions awaiting trial on December 31 of each year. Response rates for the 94 Federal judicial districts are consistently high, yielding an average response rate of 97% over the past 10 years. These data cover persons elected or appointed to office and career (staff) government employees; "others involved" include individuals who hold no official position, but who participated in an offense aimed at corrupting another's public office. "Abuse of public office" includes offenses such as extortion, bribery, and conflict of interest. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>The 1983 figures were reviewed to attempt to identify the reason for the substantial increase in prosecutions of Federal officials. The explanation appeared to be two-fold: there had been a greater focus on Federal corruption nationwide, and there appeared to have been more consistent reporting of lower-level employees who abused their office, cases that may have been overlooked in the past. For reference, the U.S. attorneys' offices were told: "For purposes of this questionnaire, a public corruption case includes any case involving abuse of office by a public employee. We are not excluding low-level employees or minor crimes, but rather focusing on the job-relatedness of the offense and whether the offense involves abuse of the public trust placed in the employee."

Source: U.S. Department of Justice, Criminal Division, "Report to Congress on the Activities and Operations of the Public Integrity Section for 1991," pp. 28, 29; "1992," pp. 36, 37; "1999," pp. 38, 39. Washington, DC: U.S. Department of Justice. (Mimeographed.)

Table 5.78

**Army personnel tried and percent convicted in General and Special (BCD) Courts-Martial**

By type of personnel, fiscal years 1971-99

Fiscal year and type of personnel	Total number tried	Percent convicted	Fiscal year and type of personnel	Total number tried	Percent convicted
<b>1971</b>	3,942	94.9%	<b>1985</b>	2,724	95.2%
Officers	42	80.9	Officers	52	88.5
Enlisted personnel	3,900	95.6	Enlisted personnel	2,672	95.3
<b>1972</b>	3,319	93.7	<b>1986</b>	2,701	94.7
Officers	52	78.8	Officers	50	98.0
Enlisted personnel	3,267	93.9	Enlisted personnel	2,651	94.6
<b>1973</b>	2,356	93.9	<b>1987</b>	2,516	95.8
Officers	19	68.4	Officers	37	86.5
Enlisted personnel	2,337	94.1	Enlisted personnel	2,479	96.0
<b>1974</b>	3,258	94.3	<b>1988</b>	2,554	95.3
Officers	14	78.5	Officers	27	77.8
Enlisted personnel	3,244	94.4	Enlisted personnel	2,527	95.5
<b>1975</b>	2,876	93.3	<b>1989</b>	2,435	93.9
Officers	15	53.3	Officers	35	91.4
Enlisted personnel	2,861	93.5	Enlisted personnel	2,400	94.0
<b>1976</b>	2,265	91.8	<b>1990</b>	2,222	94.1
Officers	20	65.0	Officers	27	96.3
Enlisted personnel	2,245	92.1	Enlisted personnel	2,195	94.1
<b>Transition quarter</b>	500	90.8	<b>1991</b>	1,758	94.1
Officers	8	62.5	Officers	46	97.8
Enlisted personnel	492	91.2	Enlisted personnel	1,712	94.0
<b>1977</b>	1,920	89.9	<b>1992</b>	1,708	92.8
Officers <sup>a</sup>	23	78.3	Officers	28	78.6
Enlisted personnel <sup>b</sup>	1,897	90.0	Enlisted personnel	1,680	93.0
<b>1978</b>	1,608	88.7	<b>1993</b>	1,287	90.0
Officers	13	83.3	Officers	32	100.0
Enlisted personnel <sup>c</sup>	1,595	88.7	Enlisted personnel	1,255	89.8
<b>1979</b>	1,768	90.7	<b>1994</b>	1,220	91.2
Officers <sup>a</sup>	22	72.7	Officers	24	87.5
Enlisted personnel <sup>c</sup>	1,746	90.9	Enlisted personnel	1,196	98.1
<b>1980</b>	2,739	88.1	<b>1995</b>	1,178	91.2
Officers	22	77.3	Officers	40	80.0
Enlisted personnel	2,717	88.2	Enlisted personnel	1,138	91.6
<b>1981</b>	3,366	77.8	<b>1996</b>	1,146	91.2
Officers	22	68.2	Officers	31	87.1
Enlisted personnel	3,344	77.9	Enlisted personnel	1,115	91.3
<b>1982</b>	4,090	73.5	<b>1997</b>	1,066	91.9
Officers	47	95.7	Officers <sup>a</sup>	36	91.7
Enlisted personnel	4,043	73.2	Enlisted personnel	1,030	91.9
<b>1983</b>	3,670	95.6	<b>1998</b>	972	92.5
Officers	47	91.5	Officers	17	94.1
Enlisted personnel	3,623	95.6	Enlisted personnel	955	92.3
<b>1984</b>	2,845	95.3	<b>1999</b>	1,011	92.3
Officers	41	85.4	Officers	26	84.7
Enlisted personnel	2,804	95.5	Enlisted personnel	985	94.4

Note: In the military justice system, a General Court-Martial consists of a military judge and not less than five members (jurors), although a trial may be heard by a military judge alone, if requested by the accused (10 U.S.C. 815). A Special Court-Martial consists of not less than three members, or a military judge and not less than three members, or trial by military judge alone, if requested by the accused (10 U.S.C. 815). The jurisdiction of the Special Court-Martial is limited to non-capital offenses. In addition, a Special Court-Martial cannot adjudge a dishonorable discharge, dismissal, confinement longer than 6 months, hard labor without confinement for longer than 3 months, forfeiture of more than two-thirds pay, or any forfeiture of pay for longer than 6 months. If a bad conduct discharge (BCD) is adjudged, the Special Court-Martial must have included a verbatim record of the proceeding, counsel for the accused, and a military judge (10 U.S.C. 819). This is referred to as a Special (BCD) Court-Martial.

These data reflect the combined activity of both General and Special (BCD) Courts-Martial. The data presented for years prior to and including 1976 coincide with the former Federal fiscal year, the period July 1 to June 30. The transition quarter refers to the period July 1, 1976 to Sept. 30, 1976. The fiscal year for the Federal Government is now from October 1 to September 30.

<sup>a</sup>Includes one cadet.

<sup>b</sup>Includes one civilian.

<sup>c</sup>Includes two prisoners.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Defense, Department of the Army.

Table 5.79

**U.S. Coast Guard personnel tried in General, Special (BCD), and Summary Courts-Martial**

By type of court, fiscal years 1966-2000

Fiscal year	Type of Courts-Martial		
	General	Special (BCD)	Summary
1966	3	95	212
1967	2	68	211
1968	0	91	216
1969	2	92	207
1970	2	76	174
1971	2	129	287
1972	6	167	348
1973	5	206	307
1974	7	190	212
1975	4	189	267
1976	4	181	221
Transition quarter	0	25	47
1977	5	84	188
1978	3	58	180
1979	2	47	122
1980	3	67	169
1981	2	58	192
1982	9	79	151
1983	10	68	128
1984	6	33	105
1985	5	43	77
1986	5	19	50
1987	11	24	63
1988	13	25	35
1989	5	40	48
1990	14	42	47
1991	9	34	18
1992	16	26 <sup>a</sup>	25
1993	14	31	11
1994	9	23	15
1995	11	8	14
1996	22	16	14
1997	6	9	10
1998	18	21	8
1999	6	17	3
2000	10	23	11

Note: See Note, table 5.78. A Summary Court-Martial is a military trial by one commissioned officer who need not be a lawyer. Punishment may not exceed 30 days in confinement, and may include reduction and forfeitures of not more than two-thirds of 1 month's pay. No counsel is furnished for prosecution or defense. Accused personnel have the option to refuse trial by Summary Court-Martial, but refusal may result in the charges being referred to a higher level court-martial. The data presented for years prior to and including 1976 coincide with the former Federal fiscal year, the period July 1 to June 30. The transition quarter refers to the period July 1, 1976 to Sept. 30, 1976. The fiscal year for the Federal Government is now from October 1 to September 30.

<sup>a</sup>Includes one case where charges were withdrawn prior to plea.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

Table 5.80

**Offenses involved in U.S. Coast Guard General Courts-Martial**

Fiscal years 1995-2000

Type of offense	1995	1996	1997	1998	1999	2000
Assault	NA	12	2	11	3	2
Rape	1	4	2	8	3	3
Burglary	2	3	5	4	0	NA
Attempts	2	3	1	13	1	NA
Larceny or wrongful appropriation	6	152	33	82	14	6
Forgery	NA	54	18	4	7	NA
Conspiracy	2	2	NA	NA	0	1
Sodomy	3	2	NA	4	4	2
Controlled drug offenses	25	45	3	6	0	30
Fraudulent enlistment, appointment, or separation	1	1	NA	1	0	NA
Offenses against military property	NA	12	NA	1	1	1
False representation of official statements	2	15	30	7	3	5
Cruelty and maltreatment	NA	21	NA	14	3	2
Failure to obey order or regulation	2	61	4	34	25	3
Willfully disobeying/disrespecting a superior	NA	1	NA	NA	1	1
AWOL or desertion	NA	5	1	4	3	NA
Missing ship movements	NA	4	NA	NA	0	NA
Check writing without sufficient funds	NA	12	4	136	0	NA
Frauds against the United States	NA	3	NA	NA	NA	NA
General offenses	26	70	48	111	31	12
Other offenses	1	1	1	NA	NA	NA

Note: See Note, table 5.78. The data in this table present the total number of offenses referred to General Courts-Martial. A person may have been charged with more than one offense; see table 5.79 for the number of personnel tried.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

Table 5.81

**Offenses involved in U.S. Coast Guard Special (BCD) Courts-Martial**

Fiscal years 1979-2000

Type of offense	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Assault	4	4	14	6	4	3	28	1	4	1	4	NA	1	1	9	5	8	1	5	1	1	1
Rape	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	3	1	NA	3	NA	NA	4	NA	NA	2
Burglary	NA	NA	NA	NA	NA	NA	NA	NA	NA	2	NA	NA	2	3	2	NA	NA	1	1	5	0	4
Larceny or wrongful appropriation	66	62	20	35	70	11	32	23	35	26	12	47	47	23	43	28	4	66	11	26	19	136
Forgery	46	72	NA	NA	NA	NA	NA	NA	NA	1	21	3	5	2	1	13	2	8	5	3	13	39
Conspiracy	NA	9	NA	NA	NA	NA	NA	NA	NA	2	4	5	8	7	7	NA	1	2	NA	3	0	NA
Sodomy	NA	NA	NA	NA	NA	NA	NA	NA	NA	1	NA	2	4	2	5	4	NA	NA	NA	NA	0	2
Controlled drug offenses	75	34	41	106	66	37	36	6	6	9	20	63	31	19	7	16	NA	21	13	31	22	37
Offenses against Coast Guard property	5	13	7	16	3	NA	NA	3	2	5	NA	9	NA	NA	NA	2	1	11	1	3	0	NA
False representation of official statements	NA	2	1	22	8	1	12	2	3	4	4	7	14	13	16	4	NA	8	1	15	2	17
Cruelty and maltreatment	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1	NA	1	1	17	8	3	2	NA	2	6	NA
Failure to obey order or regulation	16	20	26	63	15	14	4	11	22	16	18	22	34	15	41	26	8	24	10	34	9	49
Assaulting or willfully disobeying a superior	5	6	16	10	2	2	13	2	NA	NA	2	1	7	1	NA	1	1	NA	1	2	2	1
Insubordinate conduct toward a petty officer	NA	NA	NA	NA	NA	NA	NA	NA	NA	1	1	2	3	NA	3	NA	NA	NA	7	NA	NA	5
AWOL or desertion	50	73	44	56	38	18	14	10	4	30	21	21	11	9	14	9	2	3	6	5	2	18
Missing ship movements	2	7	7	9	3	4	4	NA	NA	3	2	4	1	3	1	1	1	NA	NA	1	1	1
Check writing without sufficient funds	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	150	90	46	NA	NA	NA	14	0	15
Frauds against the United States	NA	NA	NA	NA	NA	NA	NA	NA	NA	3	4	12	2	2	1	1	NA	10	NA	NA	NA	NA
General offenses	1	13	6	35	37	14	18	19	5	18	12	32	49	31	52	72	8	18	21	32	26	18
Other offenses	22	48	42	46	61	5	8	29	23	NA	10	11	17	9	11	11	1	6	NA	7	6	5

Note: See Note, table 5.78. The data in this table present the total number of offenses referred to Special (BCD) Courts-Martial. A person may have been charged with more than one offense; see table 5.79 for the number of personnel tried. Some data have been revised and may differ from previous editions of SOURCEBOOK.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

Table 5.82

**U.S. Coast Guard personnel convicted in General and Special (BCD) Courts-Martial**

By type of disposition, fiscal years 1991-2000

Fiscal year	General Courts-Martial					Special Courts-Martial				
	Number of convictions	Sentences <sup>a</sup>				Number of convictions	Sentences <sup>a</sup>			
		Forfeiture of pay	Confinement	Reduction in pay grade	Punitive discharge/dismissal		Forfeiture of pay	Confinement	Reduction in pay grade	Bad conduct discharge
1991	8	4	7	5	5	26	16	22	21	15
1992	16	11	14	14	12	23	11	18	19	9
1993	14	7	13	11	9	27	8	19	20	14
1994	7	1	7	6	6	20	6	17	20	11
1995	11	6	10	9	7	7	3	5	6	2
1996	22	15	19	20	18	14	11	10	13	7
1997	6	2	4	5	4	9	4	6	8	5
1998	17	5	12	16	11	21	9	9	17	4
1999	6	0	6	6	5	17	8	15	16	9
2000	9	5	7	6	6	23	8	20	19	10

Note: See Note, table 5.78. This table reports the frequency of imposition of the four most common punishments imposed in General and Special Courts-Martial cases.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

<sup>a</sup>Disposition totals are greater than the conviction totals shown because more than one disposition may be imposed in each case.

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## Appendix 10

### Federal Justice Statistics Program Methodology and definitions of terms

Note: The following was excerpted from U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1999*, NCJ 186179, pp. 106-123 (Washington, DC: U.S. Department of Justice). Non-substantive editorial adaptations have been made.

#### Methodology

The data are from the Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program database. The database is constructed from source files provided by the Executive Office for U.S. Attorneys, the Administrative Office of the United States Courts (AO), the United States Sentencing Commission, the U.S. Marshals Service, the Drug Enforcement Administration, and the Federal Bureau of Prisons. The AO also maintains data collected by the Federal pretrial services agencies, the U.S. Courts of Appeals, and the Federal probation and supervision service.

Some records in the Federal Justice Statistics database are matched according to a statistically weighted combination of names, other personal identifiers, dates of court appearances, types of offenses, and other relevant information contained in the files. Using the matched data files, it is possible to combine information about two or more stages of the processing of a criminal matter or case, from the prosecutor's decision of whether to file a criminal case, through adjudication, and, if the defendant is convicted, through prison and/or supervised release. Unless otherwise noted, cases have been selected according to some event that occurred during the 1999 Federal fiscal year (Oct. 1, 1998 through Sept. 30, 1999).

The unit of analysis is a combination of a person (or corporation) and a matter or case. For example, if a single person is involved in three different criminal cases during the time period specified in the table, he or she is counted three times in the tabulation. Similarly, if a single criminal case involves a corporate defendant and four individual defendants, it is counted five times in the tabulation.

The unit of analysis for incarceration, probation, parole, or other supervised release is a person entering custody or supervision, or a person leaving custody or supervision. For

example, a person convicted in two concurrent cases and committed once to the custody of the Federal Bureau of Prisons in the indicated time period is counted as one admission to a term of incarceration. A person who terminates probation twice in the indicated time period, such as with a violation and again after reinstatement, is counted as two terminations of probation.

The offense classifications in the tables are based on the classification system used by the AO. Specific offenses in the AO classification are combined to form the BJS categories in the tables. These categories are designed to be as consistent as possible with BJS publications on State criminal justice systems. Offense categories for tables focusing on prisoners are based on combinations of offense designations used by the Bureau of Prisons. They are similar to the BJS categories but may not be directly comparable.

Where more than one offense is charged or adjudicated, the most serious offense, the one that may or did result in the most severe sentence, is used in the classification. In tables focusing on prisoners, the data are classified according to the offense that bears the longest single incarceration sentence. The offense description may change as a case goes through the criminal justice process. Tables indicate whether charged or adjudicated offenses are used.

The availability of particular items of information is affected by the data source. Data on prosecutors' decisions prior to court filing are provided for cases investigated by U.S. attorneys, but not for those handled by other litigating divisions of the U.S. Department of Justice. Criminal Division cases enter the database once they are filed in U.S. District Court, however. Many items of social and demographic information come from presentence investigation records, supervision records, or sentencing records and are available only for arrested defendants who were convicted and/or began serving a sentence involving supervised release. This particularly affects sex, race, ethnicity, and prior record information.

Time served in prison is the number of months from a prisoner's arrival into jurisdiction of the Bureau of Prisons until first release from prison, plus any jail time served and credited. The calculation is the same as that currently used by the Bureau of Prisons. Because other publications may include different groups of prisoners, calculate time served differently, or use a different offense classification, these data may differ from estimates of time served in previous publications by the Bureau of Prisons or in publications based on other data sources.

These data are designed to permit the user to make valid comparisons within each table and to compare percentages (but not raw totals) across tables. The total number of subjects/defendants that is based on records linked between two files is generally less than the total number of records in either source file. Accordingly, comparisons of absolute numbers across two or more tables, or between these data and other data sources, are not necessarily valid.

In addition, readers should note that offender characteristics, classifications of lengths of prior sentences of incarceration, and time served differ from the 1993 and prior years' Federal justice compendia. Therefore, comparisons of these elements with the 1993 compendium or compendia prior to 1993 should not be attempted.

#### Definitions of terms

**Agriculture**--violations of Federal statutes on agriculture and conservation, for example, violations of the Agricultural Acts, Insecticide Act, and the Packers and Stockyards Act; also violation of laws concerning plant quarantine and the handling of animals pertaining to research (title 7 U.S.C. except sections on food stamps).

**Antitrust**--violation of Federal antitrust statutes, which aim to protect trade and commerce from unlawful restraints, price fixing, monopolies, and discrimination in pricing or in furnishing services or facilities.

**Arson**--willfully or maliciously setting, or attempting to set, fire to any property within the special maritime and territorial jurisdiction of the United States.

**Assault**--intentionally inflicting, attempting or threatening to inflict bodily injury to another person; applies to anyone within the special maritime and territorial jurisdiction of the United States or to any Government official, foreign official, official guest, internationally protected person, or any officer or employee of the United States designated in 18 U.S.C. 1114; also certain violations of the Fair Housing Act of 1968.

**Bail**--the sum of money promised as a condition of release, to be paid if a released defendant defaults.

**Bribery**--offering or promising anything of value with intent to unlawfully influence a public official, bank employee, officer or employee of the Government, witness, or any common carrier as well as soliciting or accepting such an offer. Soliciting or receiving anything of value in consideration of aiding a person to obtain employment in the U.S. Government. Receiving or soliciting any remuneration, directly or indirectly, in cash or any kind in return for purchasing, ordering, leasing, or recommending to purchase any good, service, or facility.

**Burglary**--breaking and entering into another's property with intent to steal within

the special maritime and territorial jurisdiction of the United States; also including breaking and entering into any official bank, credit union, savings and loan institution, post office, vessel or steamboat assigned to the use of mail service, or personal property of the United States, or breaking the seal or lock of any carrier facility containing interstate or foreign shipments of freight or express.

**Civil rights**--violations of civil liberties such as the personal, natural rights guaranteed and protected by the U.S. Constitution. Includes the Civil Rights Acts, such as those enacted after the Civil War, and more recently in 1957 and 1964.

**Collateral bond**--an agreement made by a defendant as a condition of his or her pretrial release that requires the defendant to post property valued at the full bail amount as an assurance of his or her intention to appear at trial.

**Communication**--violations covering areas of communication such as the Communications Act of 1934 (including wiretapping and wire interception). A communication is ordinarily considered to be a deliberate interchange of thoughts or opinions between two or more persons.

**Conditional release**--release from detention contingent on any combination of restrictions that are deemed necessary to guarantee a defendant's appearance at trial or the safety of the community.

**Conspiracy**--an agreement by two or more persons to commit or to effect the commission of an unlawful act or to use unlawful means to accomplish an act that is not in itself unlawful; also any overt act in furtherance of the agreement. A person charged with conspiracy is classified under the substantive offense alleged.

**Counterfeiting**--falsely making, forging, or altering any obligation or security of the United States, foreign obligation or security, coin or bar stamped at any mint in the United States, money order issued by the U.S. Postal Service, domestic or foreign stamp, or seal of any department or agency of the United States. Passing, selling, attempting to pass or sell, or bringing into the United States any of the above falsely made articles. Making, selling, or possessing any plates or stones used for printing counterfeit obligations or securities of the United States, foreign obligations or securities, Government transportation requests, or postal stamps; or knowingly and intentionally trafficking in falsified labels affixed to phonorecords, motion pictures, or audio visual works.

**Customs laws**--violations regarding taxes that are payable upon goods and merchandise imported or exported. Includes the duties, toll, tribute, or tariff payable upon merchandise exported or imported.

**Deposit bond**--an agreement made by a defendant as a condition of release that

requires the defendant to post a fraction of the bail before he or she is released.

**Detention**--the legally authorized confinement of persons after arrest, whether before or during prosecution. Only those persons held 2 or more days are classified as detained.

**Drug offenses**--manufacture, import, export, distribution, or dispensing of a controlled substance (or counterfeit substance), or the possession of a controlled substance (or counterfeit substance) with intent to manufacture, import, export, distribute, or dispense. Also using any communication facility that causes or facilitates a felony under title 21. Also furnishing of fraudulent or false information concerning prescriptions as well as any other unspecified drug-related offense.

**Embezzlement**--fraudulently appropriating property by a person to whom such property has been lawfully entrusted. Includes offenses committed by bank officers or employees; officers or employees of the U.S. Postal Service; officers of lending, credit, or insurance institutions; any officer or employee of a corporation or association engaged in commerce as a common carrier; court officers of the U.S. courts; or officers or employees of the United States. Stealing, selling, conveying, or disposing of any money, property, records, or thing of value to the United States or any department thereof without authority.

**Escape**--departing or attempting to depart from the custody of a correctional institution; a judicial, correctional, or law enforcement officer; or a hospital where one is committed for drug abuse and drug dependency problems. Knowingly advising, aiding, assisting, or procuring the escape or attempted escape of any person from a correctional facility, an officer, or the above-mentioned hospital as well as concealing an escapee. Providing or attempting to provide to an inmate in prison a prohibited object or making, possessing, obtaining, or attempting to make or obtain a prohibited object. Instigating, assisting, attempting to cause, or causing any mutiny or riot at any Federal penal, detention, or correctional facility or conveying into any of these institutions any dangerous instrumentalities.

**Explosives**--violations of Federal law involving importation, manufacture, distribution, and storage of explosive material. Includes unlawful receipt, possession, or transportation of explosives without a license, where prohibited by law, or using explosives during commission of a felony. Also includes violations relating to dealing in stolen explosives, using mail or other forms of communication to threaten an individual with explosives, and possessing explosive materials at an airport.

**Failure to appear**--willful absence from any court appointment.

**Felony**--a criminal offense punishable by death or imprisonment for a term exceeding 1 year.

**Financial conditions**--monetary conditions upon which release of a defendant before trial is contingent. Includes deposit bond, surety bond, and collateral bond (see individual definitions).

**Food and drug**--violations of the Federal Food, Drug, and Cosmetic Act, such as regulations for clean and sanitary movement of animals, adulteration or misbranding of any food or drug, failure to transmit information about prescription drugs, and intent to defraud and distribute adulterated material.

**Forgery**--falsely and with intent to defraud, making or materially altering, or possessing with intent to pass off as genuine any U.S. Postal Service money order; postmarking stamp or impression; obligation or security of the United States; foreign obligation, security, or bank note; contractor's bond, bid, or public record; seal of a court or any department or agency of the Government; the signature of a judge or court officer; ships' papers; documents on entry of vessels; deed; power of attorney; customs matters; coin or bar; and so forth. Also making, possessing, selling, or printing plates or stones for counterfeiting obligations or securities.

**Fraud**--unlawfully depriving a person of his or her property or legal rights through intentional misrepresentation of fact or deceit other than forgery or counterfeiting. Includes violations of statutes pertaining to lending and credit institutions, the U.S. Postal Service, interstate wire, radio, television, computer, credit card, veterans benefits, allotments, bankruptcy, marketing agreements, commodity credit, the Securities and Exchange Commission, railroad retirement, unemployment, Social Security, food stamps, false personation, citizenship, passports, conspiracy, and claims and statements, excluding tax fraud. The category excludes fraud involving tax violations that are shown in a separate category under "public-order, other offenses."

**Gambling**--transporting, manufacturing, selling, possessing, or using any gambling device in the District of Columbia or any possession of the United States or within Indian country or the special maritime and territorial jurisdiction of the United States. Also transporting gambling devices in the jurisdiction of the United States, (except under authority of the Federal Trade Commission or any State that has a law providing for their exemption from these provisions), transmitting wagering information in interstate or foreign commerce, interstate transporting of wagering paraphernalia, importing or transporting lottery tickets, or mailing lottery tickets or related matter.

**Hispanic**--ethnic category based on classification by reporting agency. Hispanic persons may be of any race.

**Immigration**--offenses involving illegal entrance into the United States, illegally reentering after being deported, willfully failing to deport when so ordered, willfully remaining beyond days allowed on conditional permit, or falsely representing oneself as a citizen of the United States. Also bringing in or harboring any aliens not duly admitted by an immigration officer.

**Incarceration**--any sentence of confinement, including prison, jail, and other residential placements.

**Kidnaping**--unlawfully seizing any person, for ransom or reward, except in the case of a minor by a parent. Includes receiving, possessing, or disposing of any money or other property that has been delivered as ransom or reward in connection with a kidnaping as well as conspiring to kidnap. Also includes kidnaping or attempting to kidnap any Government official, the President of the United States, the President-elect, the Vice President, any foreign official, any official guest, or any internationally protected person.

**Larceny**--taking and carrying away with intent to steal any personal property of another. Stealing, possessing, converting to one's own use, or illegally selling or disposing of anything of value to the United States or any of its departments or agencies. Stealing anything of value from a bank, the U.S. Postal Service, or any interstate or foreign shipments by carrier. Receiving or possessing stolen property or pirate property. Stealing or obtaining by fraud any funds, assets, or property that belongs to or is entrusted to the custody of an Indian tribal organization. Excludes the transportation of stolen property.

**Liquor**--violations of Internal Revenue Service laws on liquor as well as violations of liquor laws not cited under these laws, such as dispensing or unlawfully possessing intoxicants in Indian country; transporting intoxicating liquors into any State, territory, district, or possession where sale is prohibited; shipping packages containing unmarked and unlabeled intoxicants; shipping liquor by C.O.D.; knowingly delivering a liquor shipment to someone other than to whom it has been consigned; and violating in any way the Federal Alcohol Administration Act.

**Mailing or transportation of obscene materials**--knowingly using the mail for mailing obscene or crime-inciting matter. Also transporting for sale or distribution, importing, or transporting any obscene matter in interstate or foreign commerce.

**Migratory birds**--taking, killing, or possessing migratory birds, or any part, nest, or egg thereof, in violation of Federal regulations or the transportation laws of the State, territory, or district from which the bird

was taken. Misuse or nonuse of a migratory-bird hunting and conservation stamp.

**Misdemeanor**--a criminal offense punishable by a jail term not exceeding 1 year and any offenses specifically defined as a misdemeanor by the Administrative Office of the United States Courts for the purposes of data collection. (Includes offenses previously called minor offenses that were reclassified under the Federal Magistrates Act of 1979.)

**Mixed sentence**--a sentence requiring the convicted offender to serve a term of incarceration, followed by a term of probation. Unless otherwise noted, offenders receiving mixed sentences are included in both incarceration and probation categories.

**Most serious offense**--the offense with the greatest potential penalty. For Federal prisoners, the offense with the longest term of incarceration actually imposed.

**Motor vehicle theft**--interstate or foreign transporting, receiving, concealing, storing, bartering, selling, or disposing of any stolen motor vehicle or aircraft.

**Murder**--the unlawful killing of a human being with malice aforethought, either expressed or implied. Nonnegligent manslaughter is the unlawful killing of a human being without malice; includes committing or attempting to commit murder (first or second degree) or voluntary manslaughter within the special maritime and territorial jurisdiction of the United States. Killing or attempting to kill any Government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, any official guests, or any internationally protected persons. As applied to the owner or charterer of any steamboat or vessel, knowingly and willfully causing or allowing fraud, neglect, misconduct, or violation of any law resulting in loss of life.

**National defense**--violations of the national defense laws of the Military Selective Service Act, the Defense Production Act of 1950, the Economic Stabilization Act of 1970 (which includes prices, rents, and wages), the Subversive Activities Control Act, alien registration, treason (including espionage, sabotage, sedition, and the Smith Act of 1940), also violations relating to energy facilities, curfew and restricted areas, exportation of war materials, trading with an enemy, illegal use of uniform, and any other violations of the Federal statutes concerning national defense.

**Negligent manslaughter**--causing the death of another, within the special maritime and territorial jurisdiction of the United States by wanton or reckless disregard for human life. Also negligent manslaughter of any Government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the

United States, any foreign officials, any official guests, or any internationally protected persons. Also includes misconduct, negligence, or inattention to duties by ship officers on a steamboat or vessel resulting in death to any person.

**Nolo contendere**--defendant's plea in a criminal case indicating that he or she will not contest charges, but not admitting or denying guilt.

**Nonviolent sex offenses**--transporting, coercing, or enticing any individual (including minors) to go from one place to another in interstate or foreign commerce, in the District of Columbia, or in any territory or possession of the United States with the intent and purpose to engage in prostitution, or any sexual activity for which any person can be charged with a criminal offense.

**Offense**--violation of U.S. criminal law. Where more than one offense is charged, the offense with the greatest potential penalty is reported.

**Other property offenses**--offenses that involve the destruction of property moving in interstate or foreign commerce in the possession of a common or contract carrier. The malicious destruction of Government property, or injury to U.S. postal property such as mailboxes or mailbags. Trespassing on timber and Government lands also is included.

**Other public-order offenses**--violations of laws pertaining to bigamy; disorderly conduct on the U.S. Capitol grounds; civil disorder; and travel to incite riot. Included in "public-order, non-regulatory offenses."

**Perjury**--making any false material declarations under oath in any proceeding before or ancillary to any court or grand jury of the United States. Includes knowingly or willfully giving false evidence or swearing to false statements under oath, or by any means procuring or instigating any person to commit perjury. Also includes any officers and employees of the Government listed under 13 U.S.C. 21-25 who willfully or knowingly furnish or cause to be furnished any false information or statement.

**Personal recognizance**--pretrial release condition in which the defendant promises to appear at trial and no financial conditions are required to be met.

**Pretrial release**--the release of a defendant from custody, for all or part of the time, before or during prosecution. The defendant may be released either on personal recognizance, unsecured bond, or on financial conditions. Includes defendants released within 2 days after arrest and defendants who were initially detained but subsequently released after raising bail or having release conditions changed at a subsequent hearing.

**Property offenses, fraudulent**--property offenses involving the elements of

deceit or intentional misrepresentation. Specifically includes embezzlement, fraud (excluding tax fraud), forgery, and counterfeiting.

**Property offenses, non-fraudulent--**offenses against property: burglary, larceny, motor vehicle theft, arson, transportation of stolen property, and other property offenses (destruction of property and trespassing). These offenses are termed "non-fraudulent" only for the purpose of distinguishing them from the category "property offenses, fraudulent," above.

**Public-order, non-regulatory offenses--**offenses concerning weapons; immigration; tax law violations (tax fraud); bribery; perjury; national defense; escape; racketeering and extortion; gambling; liquor; mailing or transporting of obscene materials; traffic; migratory birds; conspiracy, aiding and abetting, and jurisdictional offenses; and "other public-order offenses." These offenses are termed "non-regulatory" only for the purpose of distinguishing them from the category "public-order, regulatory offenses," below.

**Public-order, regulatory offenses--**violations of regulatory laws and regulations in agriculture, antitrust, labor, food and drug, motor carrier, and other regulatory offenses that are not specifically listed in the category "public-order, non-regulatory offenses" above.

**Racketeering and extortion--**racketeering is demanding, soliciting, or receiving anything of value from the owner, proprietor, or other person having a financial interest in a business, by means of a threat or promise, either expressed or implied. Extortion is the obtaining of money or property from another, without his or her consent, induced by the wrongful use of force or fear. Includes using interstate or foreign commerce or any facility in interstate or foreign commerce to aid racketeering enterprises such as arson, bribery, gambling, liquor, narcotics, prostitution, and extortionate credit transactions; obtaining property or money from another, with his or her consent induced by actual or threatened force; violence, blackmail, or committing unlawful interference with employment or business; transmitting by interstate commerce or through the mail any threat to injure the property, the person, or the reputation of the addressee or of another; or kidnapping any person with intent to extort.

**Robbery--**taking anything of value from the person or presence of another by force or by intimidation, within the special maritime and territorial jurisdiction of the United States. Includes robbery of bank property, U.S. postal property, or personal property of the United States. Also assaulting or putting the life of any person in jeopardy by the use of a dangerous weapon while committing or attempting to commit such robbery.

**Sexual abuse--**rape, assault with intent to commit rape, and carnal knowledge of a female under 16 who is not one's wife, within the territorial and special maritime jurisdictions of the United States. Also includes cases of sexual abuse, including abuse of a minor and abuse in Federal prisons.

**Supervised release--**under the Sentencing Reform Act of 1984, a form of post-imprisonment supervision to be imposed by the court as a part of the sentence of imprisonment at the time of initial sentencing. Unlike parole, a term of supervised release does not replace a portion of the sentence of imprisonment, but rather is an order of supervision in addition to any term of imprisonment imposed by the court.

**Surety bond--**an agreement by the defendant as a condition of release that requires a third party (usually a bail bondsman) to promise to pay the full bail amount in the event that the defendant fails to appear.

**Tax law violations--**tax fraud offenses such as income tax evasion and fraud; counterfeiting any stamps with intent to defraud the collection or payment of tax; willfully failing to collect or pay tax; failure to obey summons to produce any papers concerning taxes; failing to furnish receipts for employees of tax withheld; failing to furnish information relating to certain trusts, annuity, and bond purchase plans; putting fraudulent or false statements on tax returns; and not obtaining a license for a business that makes a profit from foreign items. Also included are violations of excise and wagering tax laws and other laws from the Internal Revenue Service code.

**Technical violation--**failure to comply with any of the conditions of pretrial release, probation, or parole, excluding alleged new criminal activity. May result in revocation of release status. Examples of conditions that may be imposed and then violated include remaining within a specified jurisdiction, or appearing at specified intervals for drug tests.

**Threats against the President--**knowingly and willfully depositing in the mail, at any post office, or by any letter carrier a letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President, Vice President, or any other officer in order of succession to the Presidency. Knowingly and willfully making such threats in any way to the above-named people.

**Traffic offenses--**driving while intoxicated or any moving or parking violation on Federal lands.

**Trafficking--**knowingly and intentionally importing or exporting any controlled substance in schedule I-V (as defined by 21 U.S.C. 812). Manufacturing, distributing, dispensing, selling, or possessing with intent to manufacture, distribute, or sell a

controlled substance or a counterfeit substance. Exporting any controlled substance in schedules I-V. Manufacturing or distributing a controlled substance in schedule I or II for purposes of unlawful importation. Making or distributing any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container or removing or obliterating the label or symbol of any drug or container. Knowingly opening, maintaining, or managing any place for the purpose of manufacturing, distributing, or using any controlled substance.

**Transportation--**violations of Federal statutes relating to the Motor Carrier Act, which regulate (routes, rates) motor carriers of freight and passengers in interstate commerce.

**Transportation of stolen property--**transporting, selling, or receiving stolen goods, stolen securities, stolen moneys, stolen cattle, fraudulent State tax stamps, or articles used in counterfeiting if the above articles or goods involve or constitute interstate or foreign commerce.

**Unsecured bond--**an agreement by the defendant as a condition of release in which the defendant agrees to pay full bond amount in the event of nonappearance at trial, but is not required to post security as a condition to release.

**Violation (of pretrial release, probation, or parole)--**allegation of either a new crime or a technical violation while on pretrial release, probation, or parole.

**Violent offenses--**threatening, attempting, or actually using physical force against a person. Includes murder and nonnegligent manslaughter, negligent manslaughter, assault, robbery, sexual abuse, kidnapping, and threats against the President. (See specific offenses.)

**Weapons--**violations of any of the provisions of 18 U.S.C. 922, 923 concerning the manufacturing, importing, possessing, receiving, and licensing of firearms and ammunition. Manufacturing, selling, possessing, or transporting (within any territory or possession of the United States, within Indian country, or within the special maritime and territorial jurisdiction of the United States) any switchblade knife; or making, receiving, possessing, or transporting a firearm not registered in the National Firearms Registration Transfer Record. Engaging in importing, manufacturing, or dealing in firearms if not registered with the secretary in the Internal Revenue Service District in which the business is conducted, or not having paid a special occupational tax. This code covers cases where in a crime-of-violence- or drug-trafficking-enhanced punishment is handed down when committed with a deadly weapon.

## Appendix 11

### National Judicial Reporting Program

Survey sampling procedures and definitions of terms

Note: The following information has been excerpted from U.S. Department of Justice, Bureau of Justice Statistics, ***Felony Sentences in State Courts, 1996***, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), pp. 11-17. Non-substantive editorial adaptations have been made.

#### Survey sampling procedures

In 1988 a sample of 300 counties was drawn for the 1988 National Judicial Reporting Program (NJRP) survey. With little exception, these same 300 counties were the source of NJRP data for 3 subsequent NJRP surveys (1990, 1992, 1994). For the 1996 NJRP survey a new sample was drawn, consisting of 344 counties. The 344 counties included 98 that had been in the NJRP sample in the 4 previous surveys (1988, 1990, 1992, 1994) and 246 that had never been part of an NJRP sample. The 98 consisted of 80 counties selected by chance alone; plus 18 of the Nation's largest counties selected not by chance but (given their large 1995 population size) with certainty.

The 1996 survey used a two-stage, stratified cluster sampling design. In the first stage the Nation's 3,195 counties or county equivalents were divided into 14 strata. Each county was assigned to one stratum by meeting the conditions for that stratum.

The stratum to which a county was assigned depended on three criteria:

1. Whether the county was among the Nation's 75 largest according to 1995 resident population,
2. Ease of data collection (a State where data collection is generally not costly; one where data collection is generally moderately costly; one where data collection is generally very costly),
3. The size of the county's 1995 resident population.

The largest 75 counties in the United States (as defined by 1995 resident population) were separated from the Nation's 3,195 counties or county equivalents. Each State was then assigned a "cost-factor" (1, 3, or 5) that reflected the overall ease or method of collecting their 1994 NJRP data. Counties in States that generally submitted 1994 NJRP

data electronically or through a central reporter were assigned a "1." Counties in States that generally submitted 1994 NJRP data electronically but required manual processing time were assigned a "3." Counties in States that generally submitted 1994 NJRP data without a central reporter or through manual collections or that required site visits were assigned a "5."

Next, counties in each "cost-factor" group were separated into categories based on the size of their 1995 population. This resulted in 13 strata from which a sample of 325 counties was drawn. The 14th stratum consisted of the 19 counties with the largest population in 1995; every county in this stratum was selected.

The final sample included 344 counties: 45 out of the 75 largest counties and 299 out of the remaining 3,120 counties. Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties. None of the counties refused to participate. Case-level data were successfully obtained on convicted felons sentenced in 1996 from these 344 counties. Three of the 344 had no felony convictions during the survey period.

At the second stage of sampling, a systematic sample of felons sentenced for murder/nonnegligent manslaughter, sexual assaults (including rape), robbery, aggravated assault, burglary, felony larceny/motor vehicle theft, fraud/forgery/embezzlement, drug trafficking, drug possession, weapons offenses, and other offenses was selected from each county's official records. The total sample numbered 414,969 cases. Of these, 270,104 cases were in the 75 largest counties.

Rates at which cases were sampled varied by how the data were submitted, by stratum, and by crime type. Among counties in States that submitted electronic data, all cases were typically included regardless of the offense type. Among counties in States that either submitted electronic data that required manual processing time or had data from jurisdictions that were collected manually (on-site), a sample of the cases was taken. In smaller counties every felony case was taken. In larger counties all murder cases and rape cases were typically included, but other offense categories were sampled.

The survey targeted and recorded initial sentences imposed in 1996. If a sentence was imposed on one date and then modified at a later date, the revision was ignored. The survey recorded sentences that were actually executed and excluded suspended sentences.

Because the year of conviction was not a defining characteristic, some cases in the sample involved persons convicted before 1996, but not sentenced until 1996.

In a few counties, where it was impractical to target sentences imposed in 1996, the target was felons convicted in 1996. Therefore, in some of the cases the data relate to sentences imposed after 1996.

#### Sources of data

For 73% of the 344 counties sampled for the 1996 survey, NJRP data were obtained directly from the State courts. Other sources included sentencing commissions, statistical agencies, departments of public safety, probation departments, State police departments, and departments of corrections. Individual-level NJRP records were obtained through a variety of collection methods, including electronically (86% of the counties) and manually (14% of the counties). Electronic methods of data submission included: diskette, magnetic tape, and transmission over the Internet. Manual methods included photocopies of official documents, survey questionnaires completed by court officials, and on-site collections. All data were collected by the U.S. Census Bureau.

#### Sampling error

NJRP data were obtained from a sample and not from a complete enumeration. Consequently, they are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number reported. In general, if the difference between two numbers is at least twice the standard error of that difference, there is at least 95% confidence that the two numbers do in fact differ; that is, the apparent difference is not simply the result of surveying a sample rather than the entire population.

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 3.7%.

#### Crime definitions

Before the sample was drawn, each felon sentenced in the sampled counties in 1996 was placed into 1 of the 11 offense categories identified above. If the felon was convicted of more than one felony offense, the offense category was the most serious offense. The hierarchy from most to least serious offense was murder, sexual assault, robbery, aggravated assault, burglary, drug trafficking, weapons, forgery/fraud/embezzlement, larceny/motor vehicle theft, drug possession, and all other felonies. The hierarchy was determined from an analysis of two factors that reflect how seriously the

justice system treats different offenses: the sentence length imposed and the time actually served in prison before release. In general, the higher the offense is in the hierarchy, the more serious it is in terms of the two factors.

Sample selection procedures gave each sentenced felon a single chance to be in the sample. However, felons who appeared in court on more than 1 day for different offenses and received a sentence at each reappearance had more than a single chance.

At the data analysis stage, cases were aggregated according to their offense designation at time of sampling, with the single exception of "other violent." "Other violent" is a category shown in the tables, but it was not a category at sampling. The "other violent" category was formed from the sampling category "other felonies." That is, after sampling, sampled cases designated "other felonies" were coded either "violent," "nonviolent," or "not ascertained," based on data available. Cases coded "not ascertained" were rare. For data analysis purposes, cases coded "other violent" were removed from the "other felonies" category and shown separately in the tables. The 12 offense categories shown in the tables are defined as follows:

**Murder and nonnegligent manslaughter**--Murder is (1) intentionally causing the death of another person without extreme provocation or legal justification or (2) causing the death of another while committing or attempting to commit another crime. Nonnegligent (or voluntary) manslaughter is intentionally and without legal justification causing the death of another when acting under extreme provocation. The combined category of murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

**Rape and sexual assault**--Rape includes forcible intercourse (vaginal, anal, or oral) with a female or male. Includes forcible sodomy or penetration with a foreign object (sometimes called "deviate sexual assault"); excludes statutory rape or any other nonforcible sexual acts with a minor or with someone unable to give legal or factual consent. Includes attempts. Other sexual assault includes (1) forcible or violent sexual acts not involving intercourse with an adult or minor, (2) nonforcible sexual acts with a minor (such as statutory rape or incest with a minor), and (3) nonforcible sexual acts with someone unable to give legal or factual consent because of mental or physical defect or intoxication. Includes attempts.

**Robbery**--The unlawful taking of property that is in the immediate possession of another, by force or the threat of force.

Includes forcible purse snatching but excludes nonforcible purse snatching, which is classified as larceny/theft. Includes attempts.

**Aggravated assault**--(1) Intentionally and without legal justification causing serious bodily injury, with or without a deadly weapon or (2) using a deadly or dangerous weapon to threaten, attempt, or cause bodily injury, regardless of the degree of injury, if any. Includes attempted murder, aggravated battery, felonious assault, and assault with a deadly weapon.

**Other violent**--Violent offenses excluding murder and nonnegligent manslaughter, rape and sexual assault, robbery, and aggravated assault. Includes offenses such as kidnaping, extortion, and negligent manslaughter. Includes attempts.

**Burglary**--The unlawful entry of a fixed structure used for regular residence, industry, or business, with or without the use of force, to commit a felony or theft. Includes attempts.

**Larceny and motor vehicle theft**--Larceny is the unlawful taking of property other than a motor vehicle from the possession of another, by stealth, without force or deceit. Includes pocket picking, nonforcible purse snatching, shoplifting, and thefts from motor vehicles. Excludes receiving and/or reselling stolen property (fencing) and thefts through fraud or deceit. Includes attempts. Motor vehicle theft is the unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles but excludes the theft of boats, aircraft, or farm equipment (which is classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles and unauthorized use of a vehicle (joyriding). Includes attempts.

**Fraud, forgery, and embezzlement**--Using deceit or intentional misrepresentation to unlawfully deprive a person of his or her property or legal rights. Includes offenses such as check fraud, confidence games, counterfeiting, and credit card fraud. Includes attempts.

**Drug possession**--Includes possession of an illegal drug, but excludes possession with intent to sell. Includes attempts.

**Drug trafficking**--Includes manufacturing, distributing, selling, smuggling, and possession with intent to sell. Includes attempts.

**Weapons offenses**--The unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory.

**Other offenses**--All felony offenses not listed above. Includes receiving stolen property, driving while intoxicated or other traffic offenses, bribery, obstructing justice, escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, nonpayment of child

support), and nonviolent sexual offenses (such as pornography offenses, pimping, prostitution). Includes attempts.

## Appendix 12

### State Court Processing Statistics

Methodology, definitions of terms, and crimes within offense categories

Note: The following information has been excerpted from U.S. Department of Justice, Bureau of Justice Statistics, **Felony Defendants in Large Urban Counties, 1996**, NCJ 176981 (Washington, DC: U.S. Department of Justice, 1999), pp. 1, 37-39. Non-substantive editorial adaptations have been made.

### Methodology

Since 1988, the Bureau of Justice Statistics has sponsored a biennial data collection on the processing of felony defendants in the State courts of the Nation's 75 most populous counties. Previously known as the National Pretrial Reporting Program, this data collection series was renamed the State Court Processing Statistics (SCPS) program to better reflect the wide range of data elements collected. The SCPS program collects data on the demographic characteristics, criminal history, pretrial processing, adjudication, and sentencing of felony defendants. The SCPS data do not include Federal defendants.

The 1996 SCPS collected data for 15,474 felony cases filed during May 1996 in 40 large counties. These cases, which were tracked for up to 1 year, were part of a 2-stage sample that was representative of the estimated 54,579 felony cases filed in the Nation's 75 most populous counties during that month.

In 1996, the 75 largest counties accounted for about 37% of the Nation's population, 50% of all reported serious violent crimes, and 40% of all reported serious property crimes.

The sample was designed and selected by the U.S. Census Bureau under Bureau of Justice Statistics supervision. It is a two-stage stratified sample with 40 of the 75 most populous counties selected at the first stage, and a systematic sample of State court felony filings (defendants) within each county selected at the second stage.

The 40 counties were divided into 4 first-stage strata based on court filing information obtained through a telephone survey. Twelve counties were included in the sample with certainty because of their large number of court filings. The remaining 28

counties were allocated to the 3 noncertainty strata based on the variance of felony court dispositions.

The second-stage sampling was designed to represent all defendants who had felony cases filed with the court during the month of May 1996. The participating jurisdictions provided data for every felony case filed on selected days during that month. The number of days selected depended on the stage-one stratum in which the county had been placed. Each jurisdiction provided 1, 2, or 4 weeks of filings for May 1996. Data from jurisdictions that were not required to provide a full month of filings were weighted to represent the full month.

Data on 15,474 sample felony cases were collected from the 40 sampled jurisdictions. This sample represented 54,579 weighted cases filed during the month of May 1996 in the 75 most populous counties. About 244 weighted cases that, because of incomplete information, could not be classified into one of the four major crime categories (violent, property, drug, public-order) were omitted from the analysis.

Data were collected from the following counties and independent cities: Alabama (Jefferson); Arizona (Maricopa, Pima); California (Alameda, Los Angeles, Orange, Sacramento, San Bernardino, San Francisco, Santa Clara, Ventura); Florida (Broward, Dade, Hillsborough, Orange); Georgia (Fulton); Hawaii (Honolulu); Illinois (Cook, DuPage); Indiana (Marion); Kentucky (Jefferson); Maryland (Baltimore city); Michigan (Wayne); Missouri (Jackson, St. Louis); New York (Bronx, Erie, Kings, Monroe, New York, Queens, Suffolk); Ohio (Hamilton); Pennsylvania (Allegheny, Philadelphia); Tennessee (Shelby); Texas (Dallas, Harris); Washington (King); and Wisconsin (Milwaukee).

Several jurisdictions did not provide complete reporting for defendants' Hispanic origin. As a result, the overall reporting level for race combined with Hispanic origin was 79% compared to 90% for race alone. Because of this underreporting, the categories of race alone account for more defendants than the categories that include both race and Hispanic origin. A large preponderance of the persons with a Hispanic origin were white, although the category includes all races.

### Definitions of terms

Terms relating to pretrial release

**Released defendant**--Any defendant who was released from custody prior to the disposition of his or her case by the court. Includes defendants who were detained for

some period of time before being released and defendants who were returned to custody after being released because of a violation of the conditions of pretrial release.

**Detained defendant**--Any defendant who remained in custody from the time of arrest until the disposition of his or her case by the court. Detained defendants are also referred to as "not released."

**Failure to appear**--When a court issues a bench warrant for a defendant's arrest because he or she has missed a scheduled court appearance.

### Types of financial release

**Full cash bond**--The defendant posts the full bail amount in cash with the court. If the defendant makes all court appearances, the cash is returned. If the defendant fails to appear in court, the bond is forfeited.

**Deposit bond**--The defendant deposits a percentage (usually 10%) of the full bail amount with the court. The percentage bail is returned after the disposition of the case, but the court often retains a small portion for administrative costs. If the defendant fails to appear in court, he or she is liable to the court for the full amount of the bail.

**Surety bond**--A third party, usually a bail bond company, signs a promissory note to the court for the full bail amount and charges the defendant a fee for the service (usually 10% of the full bail amount). If the defendant fails to appear, the bond company is liable to the court for the full bail amount. Frequently the bond company requires the defendant to post collateral in addition to the fee.

**Property bond**--Also known as collateral bond, involves an agreement made by a defendant as a condition of pretrial release requiring that property valued at the full bail amount be posted as an assurance of his or her appearance in court. If the defendant fails to appear in court, the property is forfeited.

### Types of nonfinancial release

**Unsecured bond**--The defendant pays no money to the court but is liable for the full amount of bail should he or she fail to appear in court.

**Release on recognizance**--The court releases the defendant on a signed agreement that he or she will appear in court as required. This category also includes citation releases in which arrestees are released pending their first court appearance on a written order issued by law enforcement or jail personnel.

**Conditional release**--Defendants are released under conditions and are usually supervised by a pretrial services agency. In some cases, such as those involving a third-party custodian or drug monitoring and treatment, another agency may be involved in the

supervision of the defendant. Conditional release sometimes includes an unsecured bond.

#### Other type of release

**Emergency release**--Defendants are released solely in response to a court order placing limits on a jail's population.

### Offense categories

Felony offenses were classified into 13 categories. These categories were further divided into the four major crime categories of violent, property, drug, and public-order offenses. The following listings contain a representative summary of most of the crimes contained in each category; however, these lists are not meant to be exhaustive. All offenses, except murder, include attempts and conspiracies to commit.

#### Violent offenses

**Murder**--Includes homicide, nonnegligent manslaughter, and voluntary homicide. Does not include attempted murder (which is classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter (which are classified as "other violent offenses").

**Rape**--Includes forcible intercourse, sodomy, or penetration with a foreign object. Does not include statutory rape or nonforcible acts with a minor or someone unable to give legal consent, nonviolent sexual offenses, or commercialized sex offenses.

**Robbery**--Includes the unlawful taking of anything of value by force or threat of force.

**Assault**--Includes aggravated assault, aggravated battery, attempted murder, assault with a deadly weapon, felony assault or battery on a law enforcement officer, and other felony assaults. Does not include extortion, coercion, or intimidation.

**Other violent offenses**--Includes vehicular manslaughter, involuntary manslaughter, negligent or reckless homicide, nonviolent or nonforcible sexual assault, kidnapping, unlawful imprisonment, child or spouse abuse, cruelty to child, reckless endangerment, hit and run with bodily injury, intimidation, and extortion.

#### Property offenses

**Burglary**--Includes any type of entry into a residence, industry, or business with or without the use of force with the intent to commit a felony or theft. Does not include possession of burglary tools, trespassing, or unlawful entry where the intent is not known.

**Theft**--Includes grand theft, grand larceny, motor vehicle theft, or any other felony theft. Does not include receiving or buying stolen property, fraud, forgery, or deceit.

**Other property offenses**--Includes receiving or buying stolen property, forgery, fraud, embezzlement, arson, reckless burning, damage to property, criminal mischief, vandalism, bad checks, counterfeiting, criminal trespassing, possession of burglary tools, and unlawful entry.

#### Drug offenses

**Drug trafficking**--Includes trafficking, sales, distribution, possession with intent to distribute or sell, manufacturing, and smuggling of controlled substances. Does not include possession of controlled substances.

**Other drug offenses**--Includes possession of controlled substances, prescription violations, possession of drug paraphernalia, and other drug law violations.

#### Public-order offenses

**Weapons**--Includes the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly weapon or accessory.

**Driving-related**--Includes driving under the influence of drugs or alcohol, driving with a suspended or revoked license, or any other felony in the motor vehicle code.

**Other public-order offenses**--Includes flight/escape, parole or probation violations, prison contraband, habitual offender, obstruction of justice, rioting, libel, slander, treason, perjury, prostitution/pandering, bribery, and tax law violations.



## Appendix 13

### Juvenile Court Statistics Methodology, definitions of terms, and offenses within categories

This information was excerpted from Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1988-1998" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2001. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs98/> [July 26, 2001]; and Charles Puzzanchera et al., **Juvenile Court Statistics 1997**, NCJ 180864 (Washington, DC: U.S. Department of Justice, 2000), pp. 57, 62. Non-substantive editorial adaptations have been made.

### Methodology

These data are national estimates of juvenile delinquency cases handled in 1998 by U.S. courts with juvenile jurisdiction. The estimates are derived from data provided to the National Center for Juvenile Justice's National Juvenile Court Data Archive, by State and county agencies responsible for collecting and/or disseminating information on the processing of youth in juvenile courts.

Courts with juvenile jurisdiction also may handle other matters, including status offenses, i.e., behaviors that are considered an offense only when committed by a juvenile (e.g., running away from home), traffic violations, child support, adoption, and child abuse and neglect. However, the data presented in this edition of SOURCEBOOK focus on the courts' handling of juveniles charged with criminal law violations. These data are not the result of a uniform data collection effort. They are not derived from a complete census of juvenile courts or obtained from a probability sample of courts. These national estimates are developed using compatible information from courts that are able to provide data to the Archive.

The Archive collects data in two forms: court-level aggregate statistics and detailed case-level data. Court-level aggregate statistics are either abstracted from the annual reports of State and local courts or are contributed directly to the Archive. These data typically are counts of the delinquency and status offense cases handled by courts in a defined time period (calendar or fiscal year). Case-level data are usually generated by the automated client-tracking systems or case-reporting systems managed by juvenile courts or other juvenile justice agencies.

These systems provide detailed data on the characteristics of each delinquency and status offense case handled by courts.

The structure and content of each data set is examined in order to design an automated restructuring procedure that will transform each jurisdiction's data into a common case-level format. The aggregation of these standardized case-level data files constitutes the national case-level database. The compiled data from jurisdictions that contribute only court-level statistics constitute the national court-level database. Together, these two multi-jurisdiction databases are used to generate national estimates of delinquency and status offense cases. Although juvenile courts with jurisdiction over more than 95% of the U.S. juvenile population contribute either case-level data or court-level aggregate statistics to the Archive, not all of this information can be used to generate the national estimates. To be used, the data must be in a compatible unit of count (i.e., case disposed), the data source must demonstrate a pattern of consistent reporting over time (at least 2 years), and the data file contributed must represent a complete count of cases disposed in a jurisdiction during a given year.

The national estimate of 1,757,404 total delinquency cases processed in 1998 was generated by data received from the following two sources:

(1) Detailed case-level data describing 905,319 delinquency cases that met the criteria for inclusion in the development of national estimates.

(2) Compatible court-level aggregate statistics on an additional 217,232 delinquency cases reported from jurisdictions that were unable to provide detailed case-level data.

In all, compatible case-level data and court-level statistics on delinquency cases were received from 1,998 jurisdictions containing 70% of the Nation's youth population at risk in 1998.

A multivariate weighting procedure is employed that adjusts for a number of factors related to juvenile court caseloads--i.e., the court's jurisdictional responsibilities (upper age); the size and demographic composition of the community; the age, sex, and race profile of the youth involved in juvenile court cases; and the offenses charged against the youth. The basic assumption underlying the estimation procedure is that similar legal and demographic factors shape the volume and characteristics of cases in reporting and nonreporting counties of comparable size and features.

The unit of count is a case disposed by a court with juvenile jurisdiction. A case represents a youth processed by a juvenile court on a new referral regardless of the number of charges contained in that referral. A youth charged with four burglaries in a single referral represents a single case, whereas a youth referred to court intake for three burglaries and referred again the following week on another burglary charge represents two cases, even if the court eventually merges the two referrals for efficient processing.

The offense coded was the most serious offense for which the youth was referred to court. Attempts to commit an offense were included under that offense category except attempted murder, which was included in the aggravated assault category.

The term disposed means that a definite action has been taken or that a plan of treatment has been selected or initiated. It does not necessarily mean that the case is closed or terminated in the sense that all contact with the youth has ceased.

### Definitions of terms

**Adjudicated**--Judicially determined (judged) to be a delinquent.

**Delinquent act/offense**--An act committed by a juvenile for which an adult could be prosecuted in a criminal court, but when committed by a juvenile is within the jurisdiction of the juvenile court.

**Detention**--The placement of a youth in a restrictive facility between referral to court intake and case disposition.

**Dismissed**--Cases dismissed (including those warned, counseled, and released) with no further action anticipated. Among cases handled informally, some cases may be dismissed by the juvenile court because the matter is being handled in another court.

**Juvenile**--Youth at or below the upper age of juvenile court jurisdiction. See Upper age of jurisdiction and Youth population at risk.

**Nonpetitioned cases**--Informally handled cases that duly authorized court personnel screen for adjustment without the filing of a formal petition. Such personnel include judges, referees, probation officers, other officers of the court, and/or an agency statutorily designated to conduct petition screening for the juvenile court.

**Petitioned cases**--Formally handled cases that appear on the official court calendar in response to the filing of a petition or other legal instrument requesting the court to adjudicate the youth delinquent or to waive (transfer) the youth to criminal court for processing as an adult.

**Placement out-of-home**--Cases in which youth were placed in a residential facility for delinquents, or were otherwise

removed from their homes and placed elsewhere.

**Probation**--Cases in which youth were placed on informal/voluntary or formal/court-ordered probation or supervision.

**Race**--The race of the youth referred as determined by the youth or by court personnel.

**White**--A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. (Nearly all Hispanics were included in the white racial category.)

**Black**--A person having origins in any of the black racial groups of Africa.

**Other**--A person having origins in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.

**Transfer/waiver**--Cases that were waived or transferred to criminal court as the result of a waiver or transfer hearing in juvenile court. Cases are included in this category only if the transfer resulted from judicial actions alone. Some cases can be transferred to criminal court through the actions of prosecutors. However, these data report judicial waivers only. Excluded are cases that were transferred to criminal court under concurrent jurisdiction provisions.

**Upper age of jurisdiction**--The oldest age at which a juvenile court has original jurisdiction over an individual for law-violating behavior. For the time period covered by these data in 3 States (Connecticut, New York, and North Carolina) the upper age of jurisdiction was 15, in 10 States (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, and Wisconsin) the upper age of jurisdiction was 16, and in the remaining 37 States and the District of Columbia the upper age of jurisdiction was 17. It must be noted that in most States there are exceptions to the age criteria that place or permit youth at or below the State's upper age of jurisdiction to be under the original jurisdiction of the adult criminal court. For example, in most States if a youth of a certain age is charged with one of a defined list of what are commonly labeled "excluded offenses," the case must originate in the adult criminal court. In addition, in a number of States, the district attorney is given the discretion of filing certain cases either in the juvenile or in the criminal court. Therefore, while the upper age of jurisdiction is commonly recognized in all States, there are numerous exceptions to this age criterion.

**Youth population at risk**--For delinquency and status offense matters, this is the number of children from age 10 through the upper age of jurisdiction. In all States the upper age of jurisdiction is defined by statute. In most States individuals are considered adults when they reach their 18th birthday. Therefore, for these States,

the delinquency and status offense youth population at risk would equal the number of children who are 10 through 17 years of age living within the geographical area serviced by the court.

## Offenses within categories

**Crimes against persons**--This category includes criminal homicide, forcible rape, robbery, aggravated assault, simple assault, and other person offenses defined below.

**Criminal homicide**--Causing the death of another person without legal justification or excuse. Criminal homicide is a summary category, not a single codified offense. The term, in law, embraces all homicides where the perpetrator intentionally killed someone without legal justification, or accidentally killed someone as a consequence of reckless or grossly negligent conduct. It includes all conduct encompassed by the terms murder, nonnegligent (voluntary) manslaughter, negligent (involuntary) manslaughter, and vehicular manslaughter. The term is broader than the Crime Index category used in the Federal Bureau of Investigation's Uniform Crime Reports (UCR) in which murder and nonnegligent manslaughter does not include negligent manslaughter or vehicular manslaughter.

**Forcible rape**--Sexual intercourse or attempted sexual intercourse with a female against her will by force or threat of force. The term is used in the same sense as in the UCR Crime Index. (Some States have enacted gender-neutral rape or sexual assault statutes that prohibit forced sexual penetration of either sex. Data reported by these States do not distinguish between forcible rape of females as defined above and other sexual assaults.) Other violent sex offenses are included in the "other offenses against persons" category.

**Robbery**--Unlawful taking or attempted taking of property that is in the immediate possession of another by force or the threat of force. The term is used in the same sense as in the UCR Crime Index and includes forcible purse snatching.

**Assault**--Unlawful intentional inflicting, or attempted or threatened inflicting, of injury upon the person of another.

**Aggravated assault**--Unlawful intentional inflicting of serious bodily injury, or unlawful threat or attempt to inflict bodily injury or death, by means of a deadly or dangerous weapon with or without actual infliction of any injury. The term is used in the same sense as in the UCR Crime Index. It includes conduct included under the statutory names aggravated assault and battery, aggravated battery, assault with intent to kill, assault with intent to commit murder or manslaughter, atrocious assault, attempted

murder, felonious assault, and assault with a deadly weapon.

**Simple assault**--Unlawful intentional inflicting, or attempted or threatened inflicting, of less than serious bodily injury without a deadly or dangerous weapon. The term is used in the same sense as in UCR reporting. Simple assault is often not distinctly named in statutes since it consists of all assaults not explicitly named and defined as serious. Unspecified assaults are included in the "other offenses against persons" category.

**Other offenses against persons**--This category includes kidnapping, violent sex acts other than forcible rape (e.g., incest, sodomy), custody interference, unlawful restraint, false imprisonment, reckless endangerment, harassment, and attempts to commit any such acts.

**Crimes against property**--This category includes burglary, larceny, motor vehicle theft, arson, vandalism, stolen property offenses, trespassing, and other property offenses defined below.

**Burglary**--Unlawful entry or attempted entry of any fixed structure, vehicle, or vessel used for regular residence, industry, or business, with or without force, with intent to commit a felony or larceny. The term is used in the same sense as in the UCR Crime Index.

**Larceny**--Unlawful taking or attempted taking of property (other than a motor vehicle) from the possession of another, by stealth, without force and without deceit, with intent to permanently deprive the owner of the property. This term is used in the same sense as in the UCR Crime Index. It includes shoplifting and purse snatching without force.

**Motor vehicle theft**--Unlawful taking, or attempted taking, of a self-propelled road vehicle owned by another, with the intent to deprive the owner of it permanently or temporarily. The term is used in the same sense as in the UCR Crime Index. It includes joyriding or unauthorized use of a motor vehicle as well as grand theft auto.

**Arson**--Intentional damaging or destruction by means of fire or explosion of the property of another without the owner's consent, or of any property with intent to defraud, or attempting the above acts. This term is used in the same sense as in the UCR Crime Index.

**Vandalism**--Destroying or damaging, or attempting to destroy or damage, the property of another without the owner's consent, or public property, except by burning.

**Stolen property offenses**--Unlawful and knowing receipt, purchase, or possession of stolen property, or attempting any of the above. The term is used in the same sense as the UCR category stolen property; buying, receiving, possessing.

**Trespassing**--Unlawful entry or attempted entry of the property of another with the intent to commit a misdemeanor, other than larceny, or without intent to commit a crime.

**Other property offenses**--This category includes extortion and all fraud offenses, such as forgery, counterfeiting, embezzlement, check or credit card fraud, and attempts to commit any such offenses.

**Drug law violations**--Unlawful sale, purchase, distribution, manufacture, cultivation, transport, possession, or use of a controlled or prohibited substance or drug, or drug paraphernalia, or attempts to commit these acts. Sniffing of glue, paint, gasoline, and other inhalants also are included; therefore, the term is broader than the UCR category drug abuse violations.

**Offenses against public order--**

This category includes weapons offenses, nonviolent sex offenses, nonstatus liquor law violations, disorderly conduct, obstruction of justice, and other offenses against public order as defined below.

**Weapons offenses**--Unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon, or accessory, or attempt to commit any of these acts. The term is used in the same sense as the UCR category weapons; carrying, possessing, etc.

**Sex offenses**--All offenses having a sexual element, not involving violence. The term combines the meaning of the UCR categories prostitution and commercialized vice and sex offenses. It includes offenses such as statutory rape, indecent exposure, prostitution, solicitation, pimping, lewdness, fornication, and adultery.

**Liquor law violations, not status**--Being in a public place while intoxicated through consumption of alcohol, or intake of a controlled substance or drug. It includes public intoxication, drunkenness, and other liquor law violations. It does not include driving under the influence. The term is used in the same sense as the UCR category of the same name. (Some States treat public drunkenness of juveniles as a status offense, rather than delinquency and therefore would not be included in the data presented. Where a person who is publicly intoxicated performs acts that cause a disturbance, he or she may be charged with disorderly conduct.)

**Disorderly conduct**--Unlawful interruption of the peace, quiet, or order of a community, including offenses such as disturbing the peace, vagrancy, loitering, unlawful assembly, and riot.

**Obstruction of justice**--This category includes intentionally obstructing court or law enforcement efforts in the administration of justice, acting in a way calculated to lessen the authority or dignity of the court, failing to obey the lawful order

of a court, and violations of probation or parole other than technical violations, which do not consist of the commission of a crime or are not prosecuted as such. It includes contempt, perjury, obstructing justice, bribing witnesses, failure to report a crime, and nonviolent resisting arrest.

**Other offenses against public**

**order**--This category includes other offenses against government administration or regulation, e.g., escape from confinement, bribery, gambling, fish and game violations, hitchhiking, health violations, false fire alarms, and immigration violations.